

EPA-2

Alex Barron/DC/USEPA/US

04/05/2011 05:15 PM

To Michael Goo

cc Robin Kime, Shannon Kenny

bcc

Subject Prep materials for Dickstein Shapiro event

Michael - Here are your prep materials for the event tomorrow AM. Robin has placed hard copies in your binder.

Time: 9:30 AM, April 6th, 2011

Location: Dickstein Shapiro LLP, Potomac conference room, 12th Floor, 1825 I (Eye) Street NW (202 420-2200)

For the Dickstein Shapiro meeting, they would like you to start with 10 minutes of opening remarks on the landscape of energy/air/climate policy. You are on a panel with David Goldston from NRDC and Joe Condo from Invenergy, the nation's largest independent wind power generation company (they also have some gas gen). The crowd is ~100 attendees, a mix of CEOs and other executives from energy companies. Roughly 2/3 from renewables and natural gas and the rest from more traditional energy companies and EE providers. Most of the folks are from out of town. They will likely not be shy with questions and the session is off-the-record (this should be clarified at the start of the session). They will just have come from a breakfast with Fred Upton, so that may color their questions for the group.

Please find attached the NCEE white paper slide deck, the generic EPA GHG reg deck, and suggested points for your 10 minute intro. I am also attaching the SAP for the Upton bill, which is not in your binder but I figured you might want it.



Short WP Presentation 2-11-11.pptx DicksteinShapiro General TPs.docx Gina_GHG Hill 1_12_11 v2.pptx SAP_on_H.R._910.pdf

WIF Ex (b)(5)

DPP

EPA-4

Alex Barron/DC/USEPA/US

04/06/2011 07:43 PM

To Michael Goo

cc Robin Kime, Shannon Kenny

bcc

Subject Prep materials for Greenpeace/blue green alliance meeting

Michael - Here's some prep materials for the greenpeace meeting, in case you want to review tonight. With all the bustle at the end of the day, I forgot to hand you the hard copy. The one page summary is pasted below, there's more detail in the attached document.

The key is to make this meeting a listening session (b)(5) (DPP)

Alex



Key Points on Greenpeace_BGA chem security meeting 4 5 11.docx

WIF

Ex (b)(5) DPP

Prep notes for meeting with the Blue Green Alliance on Chemical Security

At 11AM on Thursday 4/7, you are meeting with the Blue-Green Alliance, led by Greenpeace, to discuss Chemical Security. In attendance will be: Greenpeace, the Communication Workers, Steelworkers, and USPIRG. John Morowitz representing the Chemical and United Foodworkers and possibly a NJ group will call in. (b) (6)

There have been legislative efforts to improve on the current state of affairs. The House bill (H.R. 2868) from last Congress updated chemical facility rules and added rules for drinking water and wastewater facilities. It created four tiers of high risk facilities that perform vulnerability assessments. The facilities in the highest two tiers because of release risk could be required to adopt inherently safer technology (IST). (b) (5) (DPP)

(b) (5) (DPP)

(b) (5) (DPP) [Redacted]

(b) (5) (DPP) [Redacted]

[Redacted]

EPA-5

Alex Barron/DC/USEPA/US

04/06/2011 08:07 PM

To Michael Goo

cc Shannon Kenny

bcc

Subject LPJ heads up memo NSPS 04-7-31

Goo- Here is a very crude draft of the memo for LPJ on NSPS. I need to head home, but am happy to take edits and work on them while you are meeting with the blue green alliance and greenpeace.



- LPJ heads up memo NSPS 04-7-31.docx

WIF

Ex (b)(5) DPP

EPA-7

Michael Goo/DC/USEPA/US

04/07/2011 01:05 PM

To Bicky Corman, Alex Barron, Shannon Kenny, Robin Kime

cc Janet Means-Thomas

bcc

Subject LPJ heads-up memo



LPJ heads up memo NSPS 04-7-31.docx

WIF

Ex (b)(5) DPP

EPA-8

Michael Goo/DC/USEPA/US

04/07/2011 04:26 PM

To Bicky Corman, Shannon Kenny, Alex Barron

cc

bcc

Subject lpj nsps memo



- lpjnsps.docx

WIF

Ex (b)(5) DPP

EPA-10

Alex Barron/DC/USEPA/US

04/08/2011 02:39 PM

To Michael Goo

cc

bcc

Subject LPJ heads up memo CES 04-8-11

How does this look?



- LPJ heads up memo CES 04-8-11.docx

WIF

Ex (b)(5) DPP

EPA-11

Alex Barron/DC/USEPA/US

04/08/2011 05:59 PM

To Michael Goo

cc Shannon Kenny

bcc

Subject Fw: Lots of background material on NSPS



Summary - Electric Power Listening Session.docx

----- Forwarded by Alex Barron/DC/USEPA/US on 04/08/2011 05:58 PM -----

From: Kevin Culligan/DC/USEPA/US

To: Joseph Goffman/DC/USEPA/US@EPA, Jim Ketcham-Colwill/DC/USEPA/US@EPA, Howard Hoffman/DC/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA, Lorie Schmidt/DC/USEPA/US@EPA

Date: 04/08/2011 03:42 PM

Subject: Lots of background material on NSPS

Broad overviews:

- Overview of next step to move forward (thanks Jim)



Framework for options assessment and issue development.docx

WIF

Ex (b)(5) DPP

- Powerpoint presentation that briefly summarizes recent thinking



EGUs for administrator2.pptx

WIF

Ex (b)(5) DPP

Word document summarizing thinking from before listening sessions



averaging options - 1-14-2010 revised3.docx

WIF

Ex (b)(5) DPP

Early OGC thoughts (from before listening sessions)



legal appendix_slredits_11_23.ppt

WIF

Ex (b)(5) DPP

Listening session summaries: (still trying to find the power sector one)



Summary of input received at Atlanta Listening session.docx



State and Local key point summary_NSPS listening sessions.docx



Summary of input received at coalition session.docx

Transcripts from listening sessions (I have nothing to do with the horrible formatting)



coalition transcript.txt



enviros transcript.TXT



state and local transcript.TXT



power sector transcript.TXT

Thinking from Howard on some key issues:



Requirements-to-retire-old-units_04-08-11.docx

WIF
Ex (b)(5) DPP, ACP



Incentive-for-renewables_04-07-11.docx

WIF
Ex (b)(5) DPP, ACP



GHG-EGU-NSPS_s-of-p_straw-prop_incent-DSM_04-08-11.docx

WIF
Ex (b)(5) DPP, ACP



alternative state plans.docx

WIF
Ex (b)(5) DPP, ACP

EPA-12

Michael Goo/DC/USEPA/US

04/10/2011 12:07 PM

To "Alex Barron", "Shannon Kenny", "Robin Kime"

cc

bcc

Subject Fw: GHG NSPS Interaction with the Administrator's office

(b) (5) (DPP)

Richard Windsor

----- Original Message -----

From: Richard Windsor

Sent: 04/08/2011 09:06 PM EDT

To: Michael Goo; Bob Sussman

Cc: Bob Perciasepe; Diane Thompson

Subject: Re: GHG NSPS Interaction with the Administrator's office

All good.

Michael Goo

----- Original Message -----

From: Michael Goo

Sent: 04/08/2011 08:02 PM EDT

To: Richard Windsor; Bob Sussman

Cc: Bob Perciasepe; Diane Thompson

Subject: Re: GHG NSPS Interaction with the Administrator's office

Yes it did. (b) (5) (DPP)

Richard Windsor

----- Original Message -----

From: Richard Windsor

Sent: 04/08/2011 07:49 PM EDT

To: Bob Sussman

Cc: Michael Goo; Bob Perciasepe; Diane Thompson

Subject: Re: GHG NSPS Interaction with the Administrator's office

Gina's list included Michael as part of the team didn't it?

Bob Sussman

----- Original Message -----

From: Bob Sussman

Sent: 04/08/2011 07:30 PM EDT

To: Richard Windsor

Cc: Michael Goo; Bob Perciasepe; Diane Thompson

Subject: GHG NSPS Interaction with the Administrator's office

Administrator --

Following up on today's meeting, Michael and I have been brainstorming about the best way for the Administrator's office to interact with OAR as it develops the framework for the GHG NSPS.

As Gina indicated, she is putting together a workgroup that will initiate an intensive effort to develop options and supporting analysis. (b) (5) (DPP)

(b) (5) (DPP)



Michael and others -- please chime in!

Robert M. Sussman
Senior Policy Counsel to the Administrator
Office of the Administrator
(202)-564-7397
US Environmental Protection Agency

EPA-14

Alex Barron/DC/USEPA/US

04/13/2011 05:47 PM

To Al McGartland, DavidA Evans

cc Michael Goo, Shannon Kenny, Paul Balserak

bcc

Subject NSPS

Al and Dave - Here are some recent documents on the NSPS. Please do not share them with anyone else. I will try to get you a detailed download at the end of this week or first thing next week.

Alex

See also:

<http://www.netl.doe.gov/coal/refshelf/ncp.pdf>



Existing source options list 2-pager 4-12-2011.docx preliminary draft issue paper existing source options 04-12-11.doc new sources.doc

WIF

Ex (b)(5) DPP



WIF

Ex (b)(5) DPP



WIF

Ex (b)(5) DPP

EPA-16

Alex Barron/DC/USEPA/US

04/15/2011 10:11 AM

To "David McIntosh", "Laura Vaught", "Arvin Ganesan"

cc "Bicky Corman", Michael Goo, "Shannon Kenny"

bcc

Subject Nat gas methane emissions

Bicky Corman

----- Original Message -----

From: Bicky Corman

Sent: 04/15/2011 10:09 AM EDT

To: "goo michael" <goo.michael@epa.gov>; Alex Barron

Subject: Would anyone want to

Know that today, new GHG inventory is going to be posted showing O&G sector is now largest methane emitter? (b) (5) (DPP)

EPA-17

Michael Goo/DC/USEPA/US

04/15/2011 01:40 PM

To Bicky Corman, David McIntosh, Alex Barron

cc "Arvin Ganesan", "Shannon Kenny", "David McIntosh", Laura Vaught

bcc

Subject Re: Nat gas methane emissions

Agreed.

From: Bicky Corman
Sent: 04/15/2011 10:36 AM EDT
To: David McIntosh; Alex Barron
Cc: "Arvin Ganesan" <ganesan.arvin@epa.gov>; "Shannon Kenny" <Kenny.shannon@epa.gov>; "David McIntosh" <mcintosh.david@epa.gov>; Michael Goo; Laura Vaught
Subject: Re: Nat gas methane emissions

Ok.

From: David McIntosh
Sent: 04/15/2011 10:33 AM EDT
To: Alex Barron
Cc: Bicky Corman; "Arvin Ganesan" <ganesan.arvin@epa.gov>; "Shannon Kenny" <Kenny.shannon@epa.gov>; "David McIntosh" <mcintosh.david@epa.gov>; Michael Goo; Laura Vaught
Subject: Re: Nat gas methane emissions

Thanks Alex. (b) (5) (DPP)

From: Alex Barron/DC/USEPA/US
To: "David McIntosh" <mcintosh.david@epa.gov>, "Laura Vaught" <Vaught.Laura@epamail.epa.gov>, "Arvin Ganesan" <ganesan.arvin@epa.gov>
Cc: "Bicky Corman" <Corman.Bicky@epamail.epa.gov>, Michael Goo, "Shannon Kenny" <Kenny.shannon@epa.gov>
Date: 04/15/2011 10:11 AM
Subject: Nat gas methane emissions

----- Original Message -----

From: Bicky Corman
Sent: 04/15/2011 10:09 AM EDT

To: "goo michael" <goo.michael@epa.gov>; Alex Barron

Subject: Would anyone want to

Know that today, new GHG inventory is going to be posted showing O&G sector is now largest methane emitter? (b) (5) (DPP)

[REDACTED]

EPA-18

Michael Goo/DC/USEPA/US

04/16/2011 02:08 PM

To "Alex Barron", "kenny shannon"

cc

bcc

Subject Fw: NSPS -- Expeditious Analysis

The group needs to do things as a group.
Joseph Goffman

----- Original Message -----

From: Joseph Goffman

Sent: 04/16/2011 02:03 PM EDT

To: Michael Goo; Joel Beauvais

Cc: Lorie Schmidt

Subject: Re: NSPS -- Expeditious Analysis

Good. Thanks.

Michael Goo

----- Original Message -----

From: Michael Goo

Sent: 04/16/2011 01:43 PM EDT

To: Joseph Goffman; Joel Beauvais

Cc: Lorie Schmidt

Subject: Re: NSPS -- Expeditious Analysis

Joe. (b) (5) (DPP)

Joseph Goffman

----- Original Message -----

From: Joseph Goffman

Sent: 04/15/2011 09:09 PM EDT

To: Michael Goo

Cc: Lorie Schmidt

Subject: Fw: NSPS -- Expeditious Analysis

(b) (5) (DPP)

Have

good weekend.

Joseph Goffman
Senior Counsel to the Assistant Administrator
Office of Air and Radiation
US Environmental Protection Agency
202 564 3201

----- Forwarded by Joseph Goffman/DC/USEPA/US on 04/15/2011 08:57 PM -----

From: Joseph Goffman/DC/USEPA/US
To: Lorie Schmidt/DC/USEPA/US@EPA
Cc: Alex Barron/DC/USEPA/US@EPA

Date: 04/15/2011 08:54 PM
Subject: Re: NSPS -- Expeditious Analysis

yes. thanks.

Joseph Goffman
Senior Counsel to the Assistant Administrator
Office of Air and Radiation
US Environmental Protection Agency
202 564 3201

Lorie Schmidt	Should we include alex?	----- Original...	04/15/2011 08:52:19 PM
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From: Lorie Schmidt/DC/USEPA/US
To: Joseph Goffman/DC/USEPA/US@EPA
Date: 04/15/2011 08:52 PM
Subject: Re: NSPS -- Expeditious Analysis

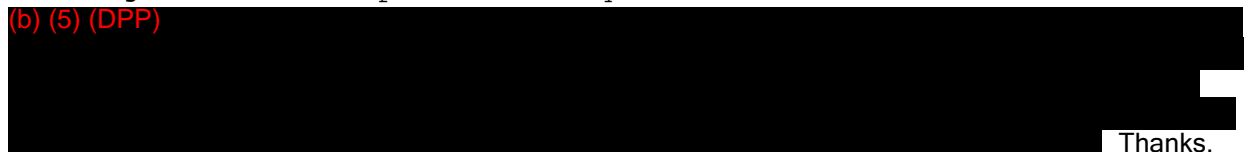
Should we include alex?

Joseph Goffman

----- Original Message -----

From: Joseph Goffman
Sent: 04/15/2011 08:46 PM EDT
To: Jeb Stenhouse; Kevin Culligan
Cc: Lorie Schmidt
Subject: NSPS -- Expeditious Analysis

(b) (5) (DPP)



Thanks.

Have a good weekend.

Joseph Goffman
Senior Counsel to the Assistant Administrator
Office of Air and Radiation
US Environmental Protection Agency
202 564 3201

EPA-19

Michael Goo/DC/USEPA/US

04/17/2011 06:47 PM

To Sam Napolitano, Joseph Goffman

cc Alex Barron, Joel Beauvais, Lorie Schmidt, Kevin Culligan,
Jeb Stenhouse, "Robin Kime", "Janet Means-Thomas"

bcc

Subject Re: Fw: NSPS -- Expeditious Analysis

I think we have a 3 pm meeting so maybe we can do this at 2.

From: Sam Napolitano

Sent: 04/17/2011 06:44 PM EDT

To: Joseph Goffman

Cc: Alex Barron; Joel Beauvais; Lorie Schmidt; Michael Goo; Kevin Culligan; Jeb Stenhouse

Subject: Re: Fw: NSPS -- Expeditious Analysis

Yes, i will stand in for Jeb tomorrow. My preference is to meet between 1 to 3. Only time i can't do is 11 to 12 tomorrow.

-----Joseph Goffman/DC/USEPA/US wrote: -----

To: "Sam Napolitano" <Napolitano.Sam@epamail.epa.gov>, "Jeb Stenhouse" <Stenhouse.Jeb@epamail.epa.gov>, "Kevin Culligan" <Culligan.Kevin@epamail.epa.gov>, Lorie Schmidt/DC/USEPA/US@EPA, Michael Goo/DC/USEPA/US@EPA, Joel Beauvais/DC/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA

From: Joseph Goffman/DC/USEPA/US

Date: 04/16/2011 02:14PM

Subject: Fw: NSPS -- Expeditious Analysis

We need to set up a meeting for the group on this email to address the two questions in the email below. Jeb will be on an airplane until about 3. So, while he will be available to call into the 3:00 meeting with NRDC, I gather that he will be unavailable otherwise. Sam - can you please participate in Jeb's place? What times are we all available between 10:15 and 12 and between 1 and 3? I can also move my internal noon-1 meeting if need be. Please let me know. Thanks.

Joseph Goffman

----- Original Message -----

From: Joseph Goffman

Sent: 04/15/2011 08:46 PM EDT

To: Jeb Stenhouse; Kevin Culligan

Cc: Lorie Schmidt

Subject: NSPS -- Expeditious Analysis

(b) (5) (DPP)



Thanks.

Have a good weekend.

Joseph Goffman

Senior Counsel to the Assistant Administrator

Office of Air and Radiation

US Environmental Protection Agency

202 564 3201

EPA-20

Michael Goo/DC/USEPA/US

04/18/2011 08:55 AM

To Robin Kime, Alexander Cristofaro

cc Janet Means-Thomas, Bicky Corman, Shannon Kenny, Alex Barron, Louise Wise

bcc

Subject Re: NSPS/Small Business Issues

No need for prep just make sure Alex comes.
Robin Kime

----- Original Message -----

From: Robin Kime

Sent: 04/18/2011 08:38 AM EDT

To: Alexander Cristofaro

Cc: Janet Means-Thomas; Michael Goo; Bicky Corman; Shannon Kenny; Alex Barron; Louise Wise

Subject: NSPS/Small Business Issues

This is on the calendar for tomorrow with the DA. There isn't much time available on the calendar today; how best to regroup and prepare?

Invitation: NSPS/Small Business Issues

Tue 04/19/2011 11:30 AM - 12:15

PM

Attendance is **FYI** for Robin Kime

Chair: **Bob Perciasepe/DC/USEPA/US**

Sent By: **Teri Porterfield/RTP/USEPA/US**

Location: 5415 ARN

Bob Perciasepe has invited you to a meeting. You have not added this entry to your calendar.

Required: Bicky Corman/DC/USEPA/US@EPA, Gina McCarthy/DC/USEPA/US@EPA, Janet McCabe/DC/USEPA/US@EPA, Joseph Goffman/DC/USEPA/US@EPA, Michael Goo/DC/USEPA/US@EPA

FYI: Robin Kime/DC/USEPA/US

Description

The deputy requested this meeting.

Alexander Cristofaro

(b)(5) (DPP)

04/15/2011 11:10:21 PM

From: Alexander Cristofaro/DC/USEPA/US
To: Michael Goo/DC/USEPA/US@EPA
Cc: Robin Kime/DC/USEPA/US@EPA, Janet Means-Thomas/DC/USEPA/US@EPA
Date: 04/15/2011 11:10 PM
Subject: Re: Fw: SBA

(b) (5) (DPP)

Alex Cristofaro
Director, Office of Regulatory Policy and Management
EPA Mailcode 1804A
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460
(202) 564-7253 (202) 501-1688 (fax)

-----Michael Goo/DC/USEPA/US wrote: -----

To: "Alexander Cristofaro" <Cristofaro.Alexander@epamail.epa.gov>, "Robin Kime" <Kime.Robin@epamail.epa.gov>, "Janet Means-Thomas" <Means-Thomas.Janet@epamail.epa.gov>
From: Michael Goo/DC/USEPA/US
Date: 04/15/2011 09:09PM
Subject: Fw: SBA

I think Gina is setting something up. Let's make sure Alex is part of it.
Gina McCarthy

----- Original Message -----

From: Gina McCarthy
Sent: 04/14/2011 10:45 PM EDT
To: "Bob Perciasepe" <perciasepe.bob@epa.gov>
Cc: "Michael Goo" <goo.michael@epa.gov>; Joseph Goffman
Subject: SBA

(b) (5) (DPP)

EPA-21

Michael Goo/DC/USEPA/US

04/18/2011 10:52 AM

To Joel Beauvais

cc Alex Barron, Howard Hoffman, Jeb Stenhouse, Joseph Goffman, Kevin Culligan, Lorie Schmidt, Sam Napolitano
bcc

Subject Re: Background info for EGU GHG NSPS mtg?

Thanks Joel--I agree this info would be very helpful....

Joel Beauvais

Hi, all - (b)(5) (DPP)

04/18/2011 10:49:28 AM

From: Joel Beauvais/DC/USEPA/US

To: Joseph Goffman/DC/USEPA/US@EPA, Lorie Schmidt/DC/USEPA/US@EPA, Michael Goo/DC/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA, Kevin Culligan/DC/USEPA/US@EPA, Sam Napolitano/DC/USEPA/US@EPA, Jeb Stenhouse/DC/USEPA/US@EPA, Howard Hoffman/DC/USEPA/US@EPA

Date: 04/18/2011 10:49 AM

Subject: Background info for EGU GHG NSPS mtg?

Hi, all -

(b) (5) (DPP)

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

Joel Beauvais
Special Counsel to the Office of the Administrator
Office of General Counsel
U.S. Environmental Protection Agency
(202) 564-1684

EPA-22

Michael Goo/DC/USEPA/US

04/18/2011 12:59 PM

To Joseph Goffman, Lorie Schmidt, Kevin Culligan, Joel
Beauvais, Alex Barron, Shannon Kenny, Jeb Stenhouse, Jim
Ketcham-Colwill, Sam Napolitano

cc

bcc

Subject Thought Piece on NSPS

(b) (5) (DPP)



Thanks to all for all the great work



Confidential Deliberative.docx

WIF

Ex (b)(5) DPP, ACP

EPA-23

Alex Barron/DC/USEPA/US

04/20/2011 08:53 PM

To Shannon Kenny, Michael Goo

cc

bcc

Subject Fw: from 6 pm meeting tonight

----- Forwarded by Alex Barron/DC/USEPA/US on 04/20/2011 08:53 PM -----

From: Lorie Schmidt/DC/USEPA/US
To: Joel Beauvais/DC/USEPA/US@EPA, Howard Hoffman/DC/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA
Date: 04/20/2011 08:52 PM
Subject: from 6 pm meeting tonight



QAR options paper post 5pm meeting.docx

WIF
Ex (b)(5) DPP, ACP

EPA-24

Michael Goo/DC/USEPA/US
04/24/2011 10:54 AM

To Lorie Schmidt, Alex Barron, Joseph Goffman, Joel Beauvais,
Howard Hoffman, Kevin Culligan
cc
bcc
Subject Re: PPT for words group

Thanks Lorie for taking this on. I think we are making good progress.
Lorie Schmidt

----- Original Message -----

From: Lorie Schmidt
Sent: 04/23/2011 09:52 PM EDT
To: Michael Goo; Alex Barron; Joseph Goffman; Joel Beauvais; Howard Hoffman; Kevin Culligan
Subject: PPT for words group
Words group members (and liaisons to numbers group):

Sending this out now may be a bad idea, but I'm tired and I don't think I'm going to work on this more before we meet on Monday.

Attached is my current, incomplete, yet incredibly lengthy draft powerpoint.

I think it can serve as the basis for discussion on Monday.

I have a feeling that if I put this down and looked at it again tomorrow, I would make changes to it before sending it out, but I'm not going to look at it tomorrow and I think it's better for you to have a chance to look at it and then we can decide what the next step is.

(b) (5) (DPP)



(b) (5) (DPP)

The text "(b) (5) (DPP)" is followed by four horizontal black bars of varying lengths, indicating redacted content. The first bar is the longest, followed by three shorter bars stacked vertically.

Lorie

[attachment "PPT 4-23-11.pptx" deleted by Michael Goo/DC/USEPA/US]

EPA-25

Alex Barron/DC/USEPA/US

04/25/2011 05:38 PM

To Lorie Schmidt, Joseph Goffman, Michael Goo

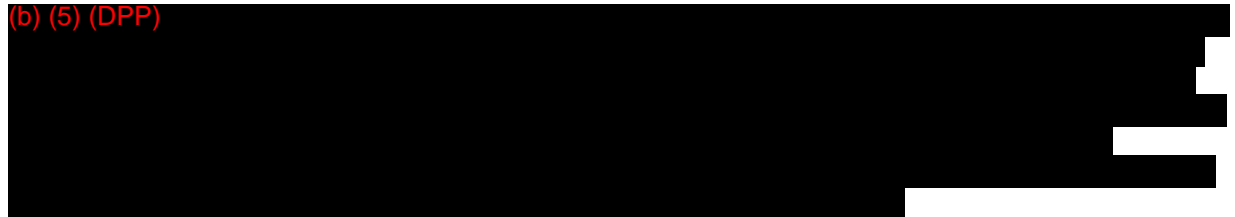
cc Kevin Culligan, Jeb Stenhouse, Al McGartland

bcc

Subject Treatment of Biomass in modeling

Lorie, Joe and Michael -

(b) (5) (DPP)



Alex

EPA-26

Michael Goo/DC/USEPA/US

04/25/2011 06:56 PM

To Kevin Culligan, Alex Barron, Lorie Schmidt, Joseph Goffman

cc Jeb Stenhouse, Al McGartland

bcc

Subject Re: Treatment of Biomass in modeling

(b)(5) (DPP)

Kevin Culligan

----- Original Message -----

From: Kevin Culligan

Sent: 04/25/2011 05:41 PM EDT

To: Alex Barron; Lorie Schmidt; Joseph Goffman; Michael Goo

Cc: Jeb Stenhouse; Al McGartland

Subject: Re: Treatment of Biomass in modeling

(b) (5) (DPP)

Kevin Culligan

Sent by EPA Wireless E-Mail Services

Alex Barron

----- Original Message -----

From: Alex Barron

Sent: 04/25/2011 05:38 PM EDT

To: Lorie Schmidt; Joseph Goffman; Michael Goo

Cc: Kevin Culligan; Jeb Stenhouse; Al McGartland

Subject: Treatment of Biomass in modeling

Lorie, Joe and Michael -

(b) (5) (DPP)

Alex

EPA-28

Alex Barron/DC/USEPA/US

04/28/2011 07:04 PM

To Michael Goo

cc Shannon Kenny, Al McGartland

bcc

Subject ROUGH draft of white paper and TPs

Michael - (b) (5) (DPP)

(b) (6)

Again, apologies this isn't more polished.

Al - I've taken a first crack at general purpose TPs; they were tough to write so let me know what you think.

A



EPA RIA and Employment DRAFT 4 28 11.docx

WIF

Ex (b)(5) DPP

EPA-30

Alex Barron/DC/USEPA/US

05/03/2011 09:22 AM

To Michael Goo

cc Al McGartland, Shannon Kenny, Robin Kime

bcc

Subject Re: Internal Employment Estimates White Paper

This time with attachment.



EPA RIA and Employment DRAFT 5.1.11.docx

WIF

Ex (b)(5) DPP

Alex Barron

Michael - Here is the internal white pap...

05/02/2011 07:33:26 PM

From: Alex Barron/DC/USEPA/US
To: Michael Goo/DC/USEPA/US@EPA
Cc: Shannon Kenny/DC/USEPA/US@EPA, Al McGartland/DC/USEPA/US@EPA
Date: 05/02/2011 07:33 PM
Subject: Internal Employment Estimates White Paper

Michael - Here is the internal white paper after NCEE folks took a crack at some of the sections. I haven't closed the loop with Al on any final comments or the edits I did and did not take, but I wanted to give you a chance to look at it tonight for overall guidance. I think the TPs would do most of the work for us, but this contains various sections that can be used for QFRs, etc.

As with the TPs, please instruct on next steps.

Alex

EPA-31

Alex Barron/DC/USEPA/US
05/03/2011 01:47 PM

To David McIntosh, Laura Vaught, Arvin Ganesan, Bob
Perciaspe, Bob Sussman, Rob Brenner, Lorie Schmidt
cc Michael Goo, Al McGartland, Nathalie Simon, Brett Snyder,
Ron Shadbegian, Bicky Corman, Shannon Kenny
bcc
Subject Working draft of employment TPs and backgrounder

(b) (5) (DPP)

I am also attaching the current working draft of an internal background paper that provides extra detail on these topics, on which we would also love input. This document can hopefully serve as a reference for QFRs or other background materials. If you are short on time, please focus on the TPs instead.

Don't hesitate to give me a call with any questions,

Alex Barron, Ph.D.
Senior Advisor
Office of Policy
U.S. Environmental Protection Agency
202-564-3304



General Employment TPs DRAFT (5-1-11)_arb.docx

WIF
Ex (b)(5) DPP



EPA RIA and Employment Internal Backgrounder DRAFT 5 2 11.docx

WIF
Ex (b)(5) DPP

EPA-32

Michael Goo/DC/USEPA/US

05/03/2011 04:54 PM

To "Alexander Barron", "kenny shannon", "Paul Balserak"

cc

bcc

Subject Fw: More on uncertainty

From: John Coequyt [John.Coequyt@sierraclub.org]

Sent: 05/03/2011 02:20 PM AST

To: Alex Barron; Michael Goo

Subject: Fw: More on uncertainty

FYI, we still think this issue needs to be addressed, see the latest finding from Bruce.

John Coequyt

Sierra Club

DL: 202.675.7916

C: 202.669.7060

----- Forwarded by John Coequyt/Sierraclub on 05/03/2011 02:19 PM -----

From: "Bruce Buckheit" (b) (6)

I've forwarded the specification for the relative accuracy of the CO2 CEMs employed by almost all acid rain boilers to report CO2 emissions. It appears (I'm still checking) that the heat input to the boiler comes from industry determined fuel feed rates (see below) and the use of EPA published fuel factors. I found an old EPA paper that claims that the error (single standard deviation) of fuel factors is 5.9% (thus 12 or 18 per cent for approaches that use 2 or 3 standard deviations in setting a standard). I'm still looking to see how plant net electrical output is determined.

Industry engineers recognize the problem we've identified. An Alston Power employee has filed a patent application for a new method to determine CO2 emissions from large boilers. The method assumes that one knows the thermal efficiency of the boiler and so it may not be of much help in assessing the baseline issue, but here is why he says his approach is patent-worthy. He's got a parallel paper setting out his method for sharpening the calculation of baseline efficiency.

"METHOD FOR DETERMINATION OF CARBON DIOXIDE EMISSIONS FROM

STEAM GENERATION SYSTEMS

CROSS-REFERENCE TO RELATED APPLICATIONS

[0001] This application claims priority to provisional application

61/184,136 filed on June 4th, 2009, and to provisional application 61/244,278 filed on September 21st, 2009, the entire contents of which are hereby incorporated by reference.

BACKGROUND

[0002] This disclosure is related to a method for determination of carbon dioxide emissions from steam generation systems used to heat a working fluid.

[0003] As the world grows more concerned with the emissions of greenhouse gases, and carbon dioxide in particular, there is a growing need to quantify these emissions as accurately as possible so that efforts can be targeted at reducing them. One method of reducing greenhouse gases is to improve existing technologies so that they become more efficient. However, even the best improvements in existing technology can at best result in reductions in greenhouse gas emissions that are of the order of a couple of percent. It is therefore important that the methods used to measure these reductions in emissions are precise enough so that the reductions can be accurately documented. If the methodology employed to determine and document these improvements has a high degree of uncertainty, the value of these improvements will almost certainly be lost.

[0004] Existing technologies use either the measurement of carbon dioxide and the flue gas flow rate in the stack or the calculation of carbon dioxide using fuel flow and carbon content in the fuel. In both cases, the measurement of flow yields significant uncertainty, generally greater than about 7% in the calculated carbon dioxide emissions. This is particularly true with solid fuels such as coal. This large uncertainty becomes even more problematic when differences are used to determine the change in carbon dioxide emissions.

[0005] It is therefore desirable to have a method that can accurately estimate the amount of carbon dioxide emitted from combustion processes. Only after the quantification of greenhouse emissions is accurately conducted can there be an actual determination of the efficacy of various methods to reduce the emissions of these gases. "

<http://www.sumobrain.com/patents/wipo/Method-determination-carbon-dioxide-emissions/WO2010141242.html>

From a 2008 ASME article suggesting methods to improve measurement of heat rates

"INTRODUCTION

On-line monitoring systems used in power plants have suffered for years from poor reputations ... justified or not. Surely, one cause for a poor reputation in coal fired units, and generally quite justified, is their lack of knowledge as to as-Fired fuel chemistry, fuel heating value and fuel flow. Fuel chemistry (ultimate analysis) and heating value are required inputs to any accurate boiler efficiency calculation [Lang, 2000, 2006]. As seen in Eqs.(1) or (2) describing unit heat rate, one requires at least either boiler efficiency or fuel flow and heating value, in addition to power and useful working fluid energy flow, to determine an absolute value of unit thermal efficiency (heat rate, HR). A coal-fired plant may use a relative indication of heat rate by relying on total fuel energy flow [$mAF (HHVP + HBC)$]; e.g., using fuel energy flow based on a scalable value from DCS control logic. This would allow determination of a relative boiler efficiency back-calculated from Eq.(2). However, it is obvious given increased use of “spot” coal, and/or coal with variable moisture content, that the operator has no indication of whether higher fuel consumption is due to lower actual boiler efficiency, or higher turbine cycle losses, or changes in fuel quality, etc. The few coal-fired plants known to the author which rely on such relative indication have either not improved their heat rates or, at a minimum, have no means to demonstrate such proof."

On fuel flow: "Of the four methods examined, success was not universal; notably any use of plant indicated fuel flow (as would be expected) must be employed with caution."

He also addresses the accuracy of coal feed belt systems for fuel flow

"The second problem is that for all coal-fired units indication of fuel flow can not be independently calibrated with adequate precision. Yes, calibration scales are employed on coal feeder belts, etc., but absolutely accuracy with better than 2% error is rare; this, in spite of ill-based claims to the contrary. As thermal performance engineering begins at the “2% level”, relying on, at best, 2% absolute accuracy from a coal belt system is a fool’s errand."

<http://www.exergeticsystems.com/Papers/PAPER-75.pdf>

EPA-33

Michael Goo/DC/USEPA/US

05/12/2011 12:37 PM

To Alex Barron, Shannon Kenny

cc

bcc

Subject ppt on nsps



Electric Utility Generating Units.pptx

WIF

Ex (b)(5) DPP

EPA-34

Alex Barron/DC/USEPA/US

05/12/2011 06:20 PM

To Michael Goo

cc Shannon Kenny

bcc

Subject Slide Deck and Memo

Here are the working drafts in case you want them for tonight.

A



LPJ NSPS.docx



Electric Utility Generating Units _arb 1410 5 12.pptx

WIF

Ex (b)(5) DPP

WIF

Ex (b)(5) DPP

EPA-35

Alex Barron/DC/USEPA/US

05/13/2011 11:23 AM

To Michael Goo

cc Shannon Kenny

bcc

Subject Electric Utility Generating Units _arb 5 13.pptx

With some tweaks to the emissions rate slide and the last two options. I'm sure you will want to make more edits.



- Electric Utility Generating Units _arb 5 13.pptx

WIF

Ex (b)(5) DPP

EPA-38

Michael Goo/DC/USEPA/US

05/13/2011 05:53 PM

To Shannon Kenny, Alex Barron

cc

bcc

Subject Fw: NSPS for GHGs from EGUs

----- Forwarded by Michael Goo/DC/USEPA/US on 05/13/2011 05:50 PM -----

From: Michael Goo/DC/USEPA/US
To: Richard Windsor/DC/USEPA/US@EPA, Bob Perciasepe/DC/USEPA/US@EPA, Bob Sussman/DC/USEPA/US@EPA, Diane Thompson/DC/USEPA/US@EPA, David McIntosh/DC/USEPA/US@EPA
Date: 05/13/2011 05:33 PM
Subject: NSPS for GHGs from EGUs

Administrator---I have attached a short briefing memo from me regarding the status of the workgroup efforts to design a greenhouse gas NSPS for electric generating units. I have also scheduled half an hour for us to talk about this on Monday at 5 pm. I believe this will help you more easily understand and evaluate the much more extensive OAR/workgroup presentation scheduled for Tuesday morning. Please let me know if you have any questions prior to Monday evening.

[attachment "LPJ NSPSfinal.docx" deleted by Michael Goo/DC/USEPA/US] [attachment "nspspptf.pptx" deleted by Michael Goo/DC/USEPA/US]

EPA-39

Michael Goo/DC/USEPA/US

05/13/2011 07:08 PM

To "kenny shannon", "Alex Barron"

cc

bcc

Subject Fw: NSPS for GHGs from EGUs

Michael Goo

----- Original Message -----

From: Michael Goo

Sent: 05/13/2011 05:33 PM EDT

To: Richard Windsor; Bob Perciasepe; Bob Sussman; Diane Thompson; David McIntosh

Subject: NSPS for GHGs from EGUs

Administrator---I have attached a short briefing memo from me regarding the status of the workgroup efforts to design a greenhouse gas NSPS for electric generating units. I have also scheduled half an hour for us to talk about this on Monday at 5 pm. I believe this will help you more easily understand and evaluate the much more extensive OAR/workgroup presentation scheduled for Tuesday morning. Please let me know if you have any questions prior to Monday evening.



LPJ NSPSfinal.docx



nspsptf.pptx

WIF

Ex (b)(5) DPP

WIF

Ex (b)(5) DPP

EPA-41

Michael Goo/DC/USEPA/US

05/16/2011 04:10 PM

To Alex Barron, Shannon Kenny

cc

bcc

Subject insert slides urgent



nspspptrevised.pptx

WIF

Ex (b)(5) DPP

EPA-42

Alex Barron/DC/USEPA/US

05/16/2011 04:14 PM

To Michael Goo

cc Shannon Kenny, Paul Balserak

bcc

Subject NSPS ppt

I am printing 8 hard copies now.



- NSPS ppt 5-16-11 arb 1600.pptx

WIF

Ex (b)(5) DPP

EPA-43

Michael Goo/DC/USEPA/US

05/16/2011 04:30 PM

To Alex Barron

cc Paul Balserak, Shannon Kenny

bcc

Subject Re: NSPS ppt



NSPS ppt 5-16-11 arb 1600 final.pptx

WIF

Ex (b)(5) DPP

EPA-45

Alex Barron/DC/USEPA/US

05/17/2011 04:00 PM

To Shannon Kenny

cc Michael Goo

bcc

Subject Ozone NAAQS RIA options memo for LPJ 5 17 11 ab_ek



- Ozone NAAQS RIA options memo for LPJ 5 17 11 ab_ek.docx

WIF

Ex (b)(5) DPP

EPA-46

Michael Goo/DC/USEPA/US

05/18/2011 06:40 AM

To "kenny shannon", "Alex Barron"

cc

bcc

Subject Fw: GHG NSPS Briefing

(b) (5) (DPP)

Gina McCarthy

----- Original Message -----

From: Gina McCarthy

Sent: 05/18/2011 01:50 AM EDT

To: Michael Goo; Joseph Goffman; Lorie Schmidt

Subject: GHG NSPS Briefing

Folks - below is the kind of short email that I send to the Administrator following option selection. Feel free to provide feedback or language changes. Just keep in mind that it's a quick and dirty touching base kind of email. And by the way - thanks for a very good briefing today (I mean yesterday).

(b) (5) (DPP)

[Redacted]

[Redacted]

[Redacted]

EPA-47

Michael Goo/DC/USEPA/US

05/24/2011 09:12 AM

To Shannon Kenny, Alex Barron

cc

bcc

Subject Fw: GHG NSPS

hunh

----- Forwarded by Michael Goo/DC/USEPA/US on 05/24/2011 09:11 AM -----

From: Gina McCarthy/DC/USEPA/US
To: "Michael Goo" <goo.michael@epa.gov>
Date: 05/24/2011 09:02 AM
Subject: GHG NSPS

Michael - I am anxious to hear back from the Administrator to confirm where we are heading with the Utility GHG NSPS. Scott told me yesterday that you were following up with a questions. Can you fill me in?

EPA-48

Alex Barron/DC/USEPA/US

05/24/2011 07:46 PM

To Michael Goo

cc Shannon Kenny, Robin Kime

bcc

Subject Background on KXL for tomorrows mtg

Here is some draft background material on the state of play on Keystone XL to get you thinking for the mtg tomorrow.



- MG memo on KXL cmts 5 23 11.docx

WIF

Ex (b)(5) DPP

EPA-49

Michael Goo/DC/USEPA/US
05/26/2011 09:08 AM

To Robin Kime, Shannon Kenny, Alex Barron
cc
bcc
Subject Re: Materials for GHG NSPS Meeting

let's discuss.
Robin Kime

----- Original Message -----

From: Robin Kime
Sent: 05/25/2011 04:11 PM EDT
To: Michael Goo; Shannon Kenny; Alex Barron
Subject: Fw: Materials for GHG NSPS Meeting
Materials for this meeting will come from OAR, correct?

----- Forwarded by Robin Kime/DC/USEPA/US on 05/25/2011 04:11 PM -----

From: Noah Dubin/DC/USEPA/US
To: Robin Kime/DC/USEPA/US@EPA
Date: 05/25/2011 04:07 PM
Subject: Materials for GHG NSPS Meeting

This GHG NSPS meeting for June 7 came out of today's morning meeting, and was refined through a conversation between Michael and Bob S. I'm assuming, in spite of Michael's involvement, that materials will come from Venu (for OAR), simply because of the subject matter. Can you confirm that materials won't from from OP/Ann?

Thanks,

Noah Dubin
Scheduler
Office of the Administrator | US EPA
Office: (202) 564-7314
Cell: (202) 309-3687

EPA-50

Alex Barron/DC/USEPA/US

05/31/2011 10:36 AM

To Sandy Germann, Nicole Owens

cc Michael Goo, Alexander Cristofaro, Bicky Corman, Lena Ferris, Louise Wise, Lucinda Power, Robin Kime, Shannon Kenny, Stuart Miles-McLean, Tracey Westfield

bcc

Subject Re: Inside EPA: EPA Plan For 'Cumulative' Review Of Rules' Costs Falls Short Of Pending Bill

(b) (5) (DPP)

A

Sandy Germann

----- Original Message -----

From: Sandy Germann

Sent: 05/31/2011 10:06 AM EDT

To: Nicole Owens

Cc: Michael Goo; Alex Barron; Alexander Cristofaro; Bicky Corman; Lena Ferris; Louise Wise; Lucinda Power; Robin Kime; Shannon Kenny; Stuart Miles-McLean; Tracey Westfield

Subject: Re: Inside EPA: EPA Plan For 'Cumulative' Review Of Rules' Costs Falls Short Of Pending Bill

Thanks Nicole. (b) (5) (DPP)

(Michael, Sorry, this went to Michael Moats the first time).

Nicole Owens

(b) (5) (DPP)

05/31/2011 09:55:57 AM

From: Nicole Owens/DC/USEPA/US

To: Sandy Germann/RTP/USEPA/US@EPA

Cc: Alex Barron/DC/USEPA/US@EPA, Alexander Cristofaro/DC/USEPA/US@EPA, Bicky Corman/DC/USEPA/US@EPA, Lena Ferris/DC/USEPA/US@EPA, Louise Wise/DC/USEPA/US@EPA, Lucinda Power/DC/USEPA/US@EPA, Michael Moats/DC/USEPA/US@EPA, Robin Kime/DC/USEPA/US@EPA, Shannon Kenny/DC/USEPA/US@EPA, Stuart Miles-McLean/DC/USEPA/US@EPA, Tracey Westfield/DC/USEPA/US@EPA

Date: 05/31/2011 09:55 AM

Subject: Re: Inside EPA: EPA Plan For 'Cumulative' Review Of Rules' Costs Falls Short Of Pending Bill

(b) (5) (DPP)

Nicole

Sandy Germann From last week, Note it includes a refe... 05/31/2011 08:17:32 AM

From: Sandy Germann/RTP/USEPA/US
To: Michael Moats/DC/USEPA/US@EPA, Bicky Corman/DC/USEPA/US@EPA, Louise Wise/DC/USEPA/US@EPA, Alexander Cristofaro/DC/USEPA/US@EPA, Nicole Owens/DC/USEPA/US, Robin Kime/DC/USEPA/US@EPA, Shannon Kenny/DC/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA, Lucinda Power/DC/USEPA/US@EPA, Lena Ferris/DC/USEPA/US@EPA, Stuart Miles-McLean/DC/USEPA/US@EPA
Date: 05/31/2011 08:17 AM
Subject: Inside EPA: EPA Plan For 'Cumulative' Review Of Rules' Costs Falls Short Of Pending Bill

From last week, Note it includes a reference to Michael's comments about the cumulative cost of rules at the 3/29 event. See bolded text below.

EPA Plan For 'Cumulative' Review Of Rules' Costs Falls Short Of Pending Bill

Posted: May 26, 2011

EPA's just-released plan for reviewing the impact of agency regulations includes a proposal long sought by industry and GOP lawmakers to review the cumulative impact of its rules on individual industry sectors, though the agency proposal falls well short of pending legislation that would codify such reviews.

A host of federal agencies May 26 issued their long-awaited regulatory review plans, including EPA's "Preliminary Plan for Periodic Retrospective Reviews," which was required of the agencies under Executive Order 13563. The order, issued in January, called on federal agencies, including EPA, to develop a "look-back" plan for existing rules to find instances where regulations may be "outmoded, ineffective, insufficient, or excessively burdensome, and to modify, streamline, expand, or repeal them." The agency's plan includes a list of rules and other items the agency is already crafting for action in 2011 that will streamline, or in some cases repeal, existing regulatory requirements. The agency also plans to conduct subsequent five-year regulatory reviews, as mandated by the Office of Management & Budget (OMB).

As part of its next round of review, slated for 2016, EPA says it intends to conduct a detailed retrospective benefit-cost analysis that includes an examination of cumulative impacts of rules. "Does the the regulation impose requirements on entities that are also subject to requirements under another EPA regulation? If so, what is the cumulative burden and cost of the requirements imposed on the regulated entities?" the report says.

EPA also stresses that more strategic sequencing of its regulations will allow the agency to better consider the cumulative impacts of its rules, a measure industry has long pushed, and to "regulate more efficiently."

And EPA is touting its recent regulatory waiver excluding milk products from spill prevention and control requirements as an indication that it is already addressing industry concerns over the cumulative effects of its rules. The waiver, codified in an April 12 rule modifying its Oil Spill Prevention, Control & Countermeasure (SPCC) rule, addressed concerns raised by the dairy industry that they are subject to costly rules for a substance that poses few risks.

EPA says in its preliminary plan that this is one example where the agency sought to address “cumulative burden” pursuant to the executive order.

Proponents of such reviews believe they are necessary to highlight the cumulative impact of having to meet overlapping regulatory requirements that provide little additional environmental or human health benefit. The concern is particularly acute for power plants which are facing a suite of agency rules addressing various air pollution requirements, greenhouse gas provisions, cooling water and wastewater standards and coal ash disposal requirements – many of which the industry says can have unintended consequences.

For example, stricter air pollution control requirements can result in increased toxicity levels in wastewater discharges and coal ash releases.

EPA policy chief Michael Goo at a March 29 event acknowledged industry concerns about "cumulative burdens," but said the burden is on industry to provide data justifying the need for the agency to perform a cumulative cost analysis for the impacts of its rules.

Plan Falls Short

But the agency's plan appears to fall short of legislative proposals pushed by Republicans and industry groups that would require creation of a federal panel, headed by the Department of Commerce, to complete a cumulative impact review of EPA's recent and pending rules governing the power sector by next August.

A House version of the bill, H.R.1705, passed out of a House Energy & Commerce Committee panel May 24 though GOP lawmakers killed Democratic amendments aimed at softening the measure.

Congressional proponents of the legislation expressed disappointment with EPA's proposed regulatory review plan though they did not directly address the cumulative impact study. “Any [administration] steps to reduce red tape are more than welcome, but if the President truly wants to make a difference to job growth, he can begin by reining in the Environmental Protection Agency's stringent greenhouse gas regulations and water rules, which are unrivaled in the harm they pose to the American economy,” Sen. James Inhofe (R-OK), the sponsor of the Senate version of the bill, said in a May 26 statement.

But prospects for the legislation appear dim as administration officials suggested there may not be a need to codify it given the administration's actions. OMB Director Jack Lew argued that the initial steps outlined in the reports government-wide “have the potential to eliminate billions of dollars in regulatory burdens,” and that the government

will undertake similar review efforts in the coming years.

“This is not a one-time project. This is the beginning of what will become a new way doing business – every year we'll keep looking at the regulations that are on the books,” Lew said.

EPA Review

EPA's list of rules slated for early action includes or builds upon a number of regulatory review actions already started by the agency. For example, the agency last year began taking comment on clarifying issues surrounding sanitary sewer overflows and other wet weather discharges and will hold a followup workshop in the future.

“The objective of the follow-up workshop is to allow stakeholders to discuss these issues in greater detail,” the plan says. “Following the workshop, EPA will evaluate options that are appropriate (rule or policy or neither) for addressing Separate Sanitary Overflows and Peak Flow wet weather discharges.” According to the plan, EPA could consider clarifying the permitting requirements for the discharges.

And another early-action item builds on a rulemaking announced in April defining when on-board vehicle vapor recovery systems in cars can be deemed “widespread,” a key step toward eliminating a legal requirement for gas stations in parts of the country with high air pollution to install expensive vapor controls at the pump. According to the plan, the proposed rule, “Widespread Use of Onboard Refueling Vapor Recovery,” is expected to be released in summer 2011.

“Taking into consideration the costs associated with the removal of vapor recovery equipment and the use of less expensive conventional equipment on the gasoline dispensers, as well as the reductions in record-keeping requirements and other operating costs, EPA estimates the long term cost savings associated with this rule to be approximately \$67 million per year,” the plan says.

Other actions slated for 2011 include efforts to reduce reporting in gasoline and diesel regulations; increasing regulatory certainty for farmers; improving cost estimates in regulations; coordinating emissions reduction regulations; and “considering new post-work requirements” to ensure that lead cleanup standards for building renovation are met.

Long-term actions include reducing reporting requirements under section 303(d) of the Clean Water Act; reducing burden for export notification for pesticides; reducing burden in the State Implementation Plan, among other moves.

EPA-51

Michael Goo/DC/USEPA/US

05/31/2011 04:09 PM

To Shannon Kenny, Alex Barron, Paul Balserak

cc Robin Kime

bcc

Subject Nsps new source options

Hey guys--I wrote up the attached for circulation to gina, scott and the bobs-- (b) (5) (DPP)



nspsnewsresource.docx

WIF

Ex (b)(5) DPP

EPA-52

Michael Goo/DC/USEPA/US
06/01/2011 08:41 AM

To Ron Shadbegian
cc Alex Barron, Al McGartland, Nathalie Simon, Cynthia Morgan, Elizabeth Kopits
bcc
Subject Re: Information on issues with the PM NAAQS Baseline

Thx very much. I will mention this am.
Ron Shadbegian

----- Original Message -----

From: Ron Shadbegian
Sent: 06/01/2011 08:36 AM EDT
To: Michael Goo
Cc: Alex Barron; Al McGartland; Nathalie Simon; Cynthia Morgan; Elizabeth Kopits
Subject: Information on issues with the PM NAAQS Baseline
Hi Michael--

(b) (5) (DPP)



(b)(5) (DPP)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(b)(5) (DPP) [Redacted]

[Redacted]

EPA-53

Michael Goo/DC/USEPA/US

06/01/2011 12:06 PM

To Alex Barron, Shannon Kenny

cc

bcc

Subject Fw: ELR Article/Transcript

----- Forwarded by Michael Goo/DC/USEPA/US on 06/01/2011 12:06 PM -----

From: "Rachel Jean-Baptiste" <jean-baptiste@eli.org>

To: <rmartella@sidley.com>, Michael Goo/DC/USEPA/US@EPA, Susan Dudley
<skatzen@podesta.com>, <gbass@ombwatch.org>

Date: 05/27/2011 10:25 AM

Subject: ELR Article/Transcript

Attached please find a pdf of the transcript that will appear in the June issue of ELR's News & Analysis. You can expect to receive hard copies in the next week or so. Thanks again for all your work.

Cheers,

Rachel

Rachel Jean-Baptiste

Managing Editor, Environmental Law Reporter

Environmental Law Institute

jean-baptiste@eli.org

202.558.3101



41.10505.pdf

EPA-56

Michael Goo/DC/USEPA/US
06/07/2011 08:09 AM

To "Shannon Kenny", "Alex Barron", "Paul Balserak"
cc
bcc
Subject Fw: GHG NSPS

Gina McCarthy

----- Original Message -----

From: Gina McCarthy
Sent: 06/07/2011 12:03 AM EDT
To: Joseph Goffman; Lorie Schmidt
Cc: Michael Goo; Sussman.bob@EPA.GOV; perciasepe.bob@epa.gov;
Fulton.Scott@EPA.GOV; McIntosh.David@EPA.GOV; Thompson.Diane@EPA.GOV
Subject: GHG NSPS

Joe and Lorie - I drafted this email to send to the Administrator so she would know what issues we were prepared to cover when we meet tomorrow. It is based on my earlier email in which I tried to summarize what I heard from her concerning the direction we should be heading. I believe this meeting is to close that loop. Can you please check in with Scott and Michael to see if they have any issues or concerns before I send this? (b) (5) (DPP)

before I send this? (b) (5) (DPP)

[REDACTED]

[REDACTED]

[REDACTED]

(b) (5) (DPP)

[REDACTED]

[REDACTED]

EPA-57

Michael Goo/DC/USEPA/US

06/09/2011 08:43 AM

To "Alex Barron", "Shannon Kenny"

cc

bcc

Subject Fw: DISASTER PREVENTION OPPTY FOR PRESIDENT
OBAMA FROM BLUE GREEN COALITION

Oh Rick.

----- Original Message -----

From: Lisa Jackson

Sent: 06/09/2011 11:23 AM GMT

To: Michael Goo; Mathy Stanislaus; Gina McCarthy

Subject: Fw: DISASTER PREVENTION OPPTY FOR PRESIDENT OBAMA FROM BLUE GREEN
COALITION

This is work related and came into my home email. The hard copy letter is no
doubt in the office or on its way. Let's discuss. Tx.

Sent from my Verizon Wireless BlackBerry

-----Original Message-----

From: Rick Hind <rick.hind@greenpeace.org>

Date: Tue, 07 Jun 2011 11:32:54

To: Lisa Jackson

Subject: DISASTER PREVENTION OPPTY FOR PRESIDENT OBAMA FROM BLUE GREEN
COALITION

Dear Lisa,

We commend the administration's repeated requests to the Congress to
give the Department of Homeland Security (DHS) the authority to require
high risk chemical facilities to use the safest available chemical
processes to reduce the catastrophic consequences of an attack or
accident at U.S. chemical facilities. We also applaud the
administration's repeated requests to the Congress to eliminate
exemptions in the current law for hundreds of port located facilities
and thousands of water treatment facilities.

Below is the text and attached is the June 7th blue-green coalition
letter to President Obama from 104 major unions, public health,
environmental and citizen groups urging the administration to now use
the Clean Air Act's "General Duty Clause" (GDC) to require disaster
prevention at high risk chemical plants. This was first proposed by the
Bush administration's EPA in 2002. While comprehensive legislation,
such as the bill (H.R. 2868) that passed the House in November 2009 is
our preference (see our coalition's June 6th letter to the House
attached), the insistence of congressional Republicans on a multi-year
extension of the current temporary law without significant changes has
put comprehensive legislation in jeopardy. That leaves the surest path
to disaster prevention with the Clean Air Act's unused authority.

By merely extending the current law (CFATS) for three to seven years as
advocated by the petro-chemical industry lobby, Congress will ensure

that the DHS is barred from requiring any chemical disaster prevention and will also be unable to eliminate loopholes in the law that exempt thousands of potentially high risk facilities, including a majority (150) of refineries and approximately 2,400 water treatment facilities from CFATS rules.

Over the last two months our coalition has been meeting with Michael Goo's office at the EPA about numerous options ranging from updated guidance to new regulations that would for the first time enforce chemical facility obligations under the GDC to prevent catastrophic chemical releases. We look forward to working with you to operationalize this authority to prevent chemical disasters whether by terrorists or accidents.

Sincerely,

Rick Hind
Legislative Director, Greenpeace
(202) 319-2445

Blue-Green Coalition Letter to Obama
June 7, 2011
Dear President Obama;

Nearly a decade after 9/11, U.S. chemical plants continue to remain one of the sectors of America's infrastructure most vulnerable to domestic terrorist attacks. The Department of Homeland Security (DHS) has identified nearly 5,000 high-risk U.S. chemical facilities. In 2006, referring to these vulnerabilities at chemical plants, you called them, "stationary weapons of mass destruction spread all across the country."

Unfortunately Congress has not been able to enact anything more than a 740 word "interim" statute passed in 2006 which authorized the Chemical Facility Anti-Terrorism Standards (CFATS). In November 2009 the House of Representatives adopted a more comprehensive bill (H.R. 2868) that addressed the major flaws in the 2006 law, including conditional requirements to use safer chemical processes where feasible to prevent chemical disasters. Although companion legislation was introduced in the Senate and again this year (S.709 & S.711), it never made it to the Senate floor and has not moved this year.

Today Republicans and the oil and chemical lobby are adamantly proposing to defer disaster prevention for years to come by simply extending current law with no significant changes. This ignores the testimony they heard from the DHS and the Environmental Protection Agency (EPA) requesting new authority to require high risk facilities to assess safer chemical processes and to require the very highest risk facilities (tiers 1 and 2) to implement safer processes where feasible. In addition, the DHS and EPA asked Congress to eliminate the security gaps for water treatment and port facilities and to assign water facilities to the EPA and the remainder of facilities to the DHS. We commend your administration's consistent support for disaster prevention requirements and closing security gaps. Regrettably none of these essential provisions are contained in the Republican bills (H.R. 901, H.R. 908 & HR. 916).

Until Congress acts responsibly, the only way to ensure that the DHS and EPA disaster prevention policies are implemented is to enforce the 1990 Clean Air Act's General Duty Clause (GDC). The GDC in the Clean Air Act

obligates all chemical facilities to be designed and operated to prevent catastrophic chemical releases. By issuing new rules and guidance under the GDC any resulting hazard reduction would also reduce the work load on the DHS and Coast Guard as more high-risk plants become safer "de-listed" facilities subject to fewer regulations with far less liability. Such a program would also help close security gaps at water and port facilities because the Clean Air Act program already covers those facilities.

In 2002 the EPA drafted such a proposal to enforce the GDC for the first time. They proposed making chemical plants "inherently safer by reducing quantities of hazardous chemicals handled or stored, substituting less hazardous chemicals for extremely hazardous ones, or otherwise modifying the design of processes to reduce or eliminate chemical hazards." Tragically the Bush administration scuttled this EPA proposal.

But we cannot rely on the current law (CFATS) to address catastrophic risks because:

- It bars the DHS from requiring any specific "security measure," including the most fool proof security measure: safer more secure chemical processes that cost-effectively eliminate catastrophic hazards posed by poison gases.

- It explicitly exempts thousands of chemical facilities, including approximately 2,400 water treatment facilities and hundreds of port facilities, including the majority of U.S. petroleum refineries.

- It fails to involve plant employees in the development of vulnerability assessments and security plans.

According to a Congressional Research Service review of EPA data, more than 480 facilities each put 100,000 or more people at risk of a chemical disaster. In 2004 the Homeland Security Council projected that an attack on a poison gas chemical facility would kill 17,500 people, seriously injure 10,000 more people, and send an additional 100,000 people to the hospital.

The good news is that since 2001 more than 220 chemical facilities have switched to safer and more secure chemical processes, eliminating these risks to 38.5 million Americans in 47 states. Cost effective safer processes are in use at a wide variety of facilities including water treatment plants, power plants, oil refineries, and other manufacturers. An independent analysis of H.R. 2868 concluded that the program would also create 8,000 new jobs by converting high-risk plants. In November 2009, the Clorox Company announced plans to convert all of its U.S. facilities to eliminate the use of chlorine gas and eliminate the inherent risks to nearby communities. While this is encouraging, at the current rate of voluntary conversions it will take decades before all of the highest risk plants are using safer processes.

Other businesses are negatively impacted by these preventable hazards. Concerned about their potential liability for hauling poison gases, the Association of American Railroads issued a statement in 2008 saying, "It's time for the big chemical companies to do their part to help protect America. They should stop manufacturing dangerous chemicals when safer substitutes are available. And if they won't do it, Congress should do it for them..."

In the Senate you were a leader on chemical security. In a floor statement you said, "... by employing safer technologies, we can reduce the attractiveness of chemical plants as a target...Each one of these methods reduces the danger that chemical plants pose to our communities

and makes them less appealing targets for terrorists."

We respectfully urge you to use the authority of the Clean Air Act as soon as possible to reduce these catastrophic risks to millions of Americans so that they will no longer be targets of terrorism or Bhopal magnitude chemical accidents. We look forward to working with you and your staff on this critical initiative.

(LETTER WITH 104 GROUPS SIGNED ON ATTACHED)

--

Rick Hind
Legislative Director, Greenpeace
702 H Street, NW #300
Washington, DC 20001
(202) 319-2445 (direct)
(202) 413-8513 (cell)
(202) 462-1177 (switch board)
(202) 462-4507 (fax)
rick.hind@greenpeace.org
www.greenpeaceusa.org

EPA-58

Michael Goo/DC/USEPA/US

06/09/2011 05:46 PM

To "Shannon Kenny", "Alex Barron"

cc

bcc

Subject Fw: GHG NSPS Update

Gina McCarthy

----- Original Message -----

From: Gina McCarthy

Sent: 06/09/2011 12:51 AM EDT

To: Richard Windsor; Bob Perciasepe; Bob Sussman; Scott Fulton; Michael Goo; Joseph Goffman; David McIntosh

Cc: Janet McCabe

Subject: GHG NSPS Update

Administrator: (b) (5) (DPP)



EPA-59

Alex Barron/DC/USEPA/US

06/09/2011 07:08 PM

To Bob Perciasepe

cc Michael Goo, Bicky Corman, Al McGartland, Peter
Nagelhout, Rob Brenner, Shannon Kenny

bcc

Subject Employment associated with capital investments by AEP

Bob - (b)(5) (DPP)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Alex

Alex Barron, Ph.D.
Senior Advisor
Office of Policy
U.S. Environmental Protection Agency
202-564-3304

(b) (6) but will keep an eye on my BB until it loses signal.)

P.S. Credit goes to Peter Nagelhout who was kind enough to help me pull this together.



scrubber_jobs_memo_011510.pdf

EPA-60

Alex Barron/DC/USEPA/US

06/09/2011 09:08 PM

To Michael Goo

cc "Shannon Kenny"

bcc

Subject Cofiring vs retirement and dispatch

I reviewed the thoughts on (b)(5) (DPP) that you shared with me earlier today. A few thoughts:

(b)(5) (DPP)

More on monday.

A

EPA-61

Michael Goo/DC/USEPA/US
06/10/2011 10:31 AM

To: Kenny.Shannon, "Alex Barron", "Paul Balserak"
cc
bcc
Subject: Fw: GHG NSPS Update

Fyi.
Bob Sussman

----- Original Message -----

From: Bob Sussman
Sent: 06/10/2011 10:02 AM EDT
To: Bob Perciasepe; David McIntosh; Michael Goo; Richard Windsor; Scott Fulton
Subject: Re: GHG NSPS Update
Administrator -- a few thoughts on follow-up and next steps.

(b) (5) (DPP)



Let us know if you have further thoughts.

Robert M. Sussman
Senior Policy Counsel to the Administrator
Office of the Administrator
(202)-564-7397
US Environmental Protection Agency

Gina McCarthy	Administrator: After our meeting on Tu...	06/09/2011 12:51:31 AM
---------------	---	------------------------

From: Gina McCarthy/DC/USEPA/US
To: Richard Windsor/DC/USEPA/US@EPA, Bob Perciasepe/DC/USEPA/US@EPA, Bob Sussman/DC/USEPA/US@EPA, Scott Fulton/DC/USEPA/US@EPA, Michael Goo/DC/USEPA/US@EPA, Joseph Goffman/DC/USEPA/US@EPA, David McIntosh/DC/USEPA/US@EPA
Cc: Janet McCabe/DC/USEPA/US@EPA
Date: 06/09/2011 12:51 AM
Subject: GHG NSPS Update

Administrator: After our meeting on Tuesday, I wanted to recap my understanding of the next steps we need to take. If you or others see anything that needs clarification or raises concerns, please let me know.

(b) (5) (DPP)



(b) (5) (DPP) [Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

EPA-62

Michael Goo/DC/USEPA/US

06/13/2011 09:47 AM

To "Alex Barron"

cc

bcc

Subject Fw: Fw: DISASTER PREVENTION OPPTY FOR
PRESIDENT OBAMA FROM BLUE GREEN COALITION

Cynthia Giles-AA

----- Original Message -----

From: Cynthia Giles-AA

Sent: 06/09/2011 06:47 PM EDT

To: Mathy Stanislaus

Cc: Gina McCarthy <mccarthy.gina@epa.gov>; Scott Fulton; Michael Goo

Subject: Re: Fw: DISASTER PREVENTION OPPTY FOR PRESIDENT OBAMA FROM BLUE
GREEN COALITION

(b) (5) (DPP)

Thanks

Cynthia

Cynthia Giles

Assistant Administrator

U.S. EPA, Office of Enforcement and Compliance Assurance

1200 Pennsylvania Avenue, N.W.

Washington, D.C. 20460

202-564-2440

THIS MESSAGE IS CONFIDENTIAL and may contain legally privileged information. If you receive it in error, please delete it immediately, do not copy, and notify the sender. Thank you.

Mathy Stanislaus

(b) (5) (DPP)

06/09/2011 09:03:09 AM

From: Mathy Stanislaus/DC/USEPA/US

To: Cynthia Giles-AA/DC/USEPA/US@EPA, Scott Fulton/DC/USEPA/US@EPA, Gina McCarthy
<mccarthy.gina@epa.gov>

Date: 06/09/2011 09:03 AM

Subject: Fw: DISASTER PREVENTION OPPTY FOR PRESIDENT OBAMA FROM BLUE GREEN
COALITION

(b) (5) (DPP)

Mathy Stanislaus

USEPA Assistant Administrator

Office of Solid Waste & Emergency Response

----- Forwarded by Mathy Stanislaus/DC/USEPA/US on 06/09/2011 09:01 AM -----

From: (b)(6) Lisa Jackson
To: Michael Goo/DC/USEPA/US@EPA, Mathy Stanislaus/DC/USEPA/US@EPA, Gina McCarthy/DC/USEPA/US@EPA
Date: 06/09/2011 07:23 AM
Subject: Fw: DISASTER PREVENTION OPPTY FOR PRESIDENT OBAMA FROM BLUE GREEN COALITION

This is work related and came into my home email. The hard copy letter is no doubt in the office or on its way. Let's discuss. Tx.

Sent from my Verizon Wireless BlackBerry

-----Original Message-----

From: Rick Hind <rick.hind@greenpeace.org>
Date: Tue, 07 Jun 2011 11:32:54
To: Lisa Jackson
Subject: DISASTER PREVENTION OPPTY FOR PRESIDENT OBAMA FROM BLUE GREEN COALITION

Dear Lisa,

We commend the administration's repeated requests to the Congress to give the Department of Homeland Security (DHS) the authority to require high risk chemical facilities to use the safest available chemical processes to reduce the catastrophic consequences of an attack or accident at U.S. chemical facilities. We also applaud the administration's repeated requests to the Congress to eliminate exemptions in the current law for hundreds of port located facilities and thousands of water treatment facilities.

Below is the text and attached is the June 7th blue-green coalition letter to President Obama from 104 major unions, public health, environmental and citizen groups urging the administration to now use the Clean Air Act's "General Duty Clause" (GDC) to require disaster prevention at high risk chemical plants. This was first proposed by the Bush administration's EPA in 2002. While comprehensive legislation, such as the bill (H.R. 2868) that passed the House in November 2009 is our preference (see our coalition's June 6th letter to the House attached), the insistence of congressional Republicans on a multi-year extension of the current temporary law without significant changes has put comprehensive legislation in jeopardy. That leaves the surest path to disaster prevention with the Clean Air Act's unused authority.

By merely extending the current law (CFATS) for three to seven years as advocated by the petro-chemical industry lobby, Congress will ensure that the DHS is barred from requiring any chemical disaster prevention and will also be unable to eliminate loopholes in the law that exempt thousands of potentially high risk facilities, including a majority (150) of refineries and approximately 2,400 water treatment facilities from CFATS rules.

Over the last two months our coalition has been meeting with Michael Goo's office at the EPA about numerous options ranging from updated guidance to new regulations that would for the first time enforce chemical facility obligations under the GDC to prevent catastrophic chemical releases. We look forward to working with you to operationalize this authority to prevent chemical disasters whether by terrorists or accidents.

Sincerely,

Rick Hind
Legislative Director, Greenpeace
(202) 319-2445

Blue-Green Coalition Letter to Obama
June 7, 2011
Dear President Obama;

Nearly a decade after 9/11, U.S. chemical plants continue to remain one of the sectors of America's infrastructure most vulnerable to domestic terrorist attacks. The Department of Homeland Security (DHS) has identified nearly 5,000 high-risk U.S. chemical facilities. In 2006, referring to these vulnerabilities at chemical plants, you called them, "stationary weapons of mass destruction spread all across the country."

Unfortunately Congress has not been able to enact anything more than a 740 word "interim" statute passed in 2006 which authorized the Chemical Facility Anti-Terrorism Standards (CFATS). In November 2009 the House of Representatives adopted a more comprehensive bill (H.R. 2868) that addressed the major flaws in the 2006 law, including conditional requirements to use safer chemical processes where feasible to prevent chemical disasters. Although companion legislation was introduced in the Senate and again this year (S.709 & S.711), it never made it to the Senate floor and has not moved this year.

Today Republicans and the oil and chemical lobby are adamantly proposing to defer disaster prevention for years to come by simply extending current law with no significant changes. This ignores the testimony they heard from the DHS and the Environmental Protection Agency (EPA) requesting new authority to require high risk facilities to assess safer chemical processes and to require the very highest risk facilities (tiers 1 and 2) to implement safer processes where feasible. In addition, the DHS and EPA asked Congress to eliminate the security gaps for water treatment and port facilities and to assign water facilities to the EPA and the remainder of facilities to the DHS. We commend your administration's consistent support for disaster prevention requirements and closing security gaps. Regrettably none of these essential provisions are contained in the Republican bills (H.R. 901, H.R. 908 & HR. 916).

Until Congress acts responsibly, the only way to ensure that the DHS and EPA disaster prevention policies are implemented is to enforce the 1990 Clean Air Act's General Duty Clause (GDC). The GDC in the Clean Air Act obligates all chemical facilities to be designed and operated to prevent catastrophic chemical releases. By issuing new rules and guidance under the GDC any resulting hazard reduction would also reduce the work load on the DHS and Coast Guard as more high-risk plants become safer "de-listed" facilities subject to fewer regulations with far less liability. Such a program would also help close security gaps at water and port facilities because the Clean Air Act program already covers those facilities.

In 2002 the EPA drafted such a proposal to enforce the GDC for the first time. They proposed making chemical plants "inherently safer by reducing quantities of hazardous chemicals handled or stored, substituting less hazardous chemicals for extremely hazardous ones, or otherwise modifying the design of processes to reduce or eliminate chemical hazards."

Tragically the Bush administration scuttled this EPA proposal.

But we cannot rely on the current law (CFATS) to address catastrophic risks because:

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- It explicitly exempts thousands of chemical facilities, including approximately 2,400 water treatment facilities and hundreds of port facilities, including the majority of U.S. petroleum refineries.
- It fails to involve plant employees in the development of vulnerability assessments and security plans.

According to a Congressional Research Service review of EPA data, more than 480 facilities each put 100,000 or more people at risk of a chemical disaster. In 2004 the Homeland Security Council projected that an attack on a poison gas chemical facility would kill 17,500 people, seriously injure 10,000 more people, and send an additional 100,000 people to the hospital.

The good news is that since 2001 more than 220 chemical facilities have switched to safer and more secure chemical processes, eliminating these risks to 38.5 million Americans in 47 states. Cost effective safer processes are in use at a wide variety of facilities including water treatment plants, power plants, oil refineries, and other manufacturers. An independent analysis of H.R. 2868 concluded that the program would also create 8,000 new jobs by converting high-risk plants. In November 2009, the Clorox Company announced plans to convert all of its U.S. facilities to eliminate the use of chlorine gas and eliminate the inherent risks to nearby communities. While this is encouraging, at the current rate of voluntary conversions it will take decades before all of the highest risk plants are using safer processes.

Other businesses are negatively impacted by these preventable hazards. Concerned about their potential liability for hauling poison gases, the Association of American Railroads issued a statement in 2008 saying, "It's time for the big chemical companies to do their part to help protect America. They should stop manufacturing dangerous chemicals when safer substitutes are available. And if they won't do it, Congress should do it for them..."

In the Senate you were a leader on chemical security. In a floor statement you said, "... by employing safer technologies, we can reduce the attractiveness of chemical plants as a target...Each one of these methods reduces the danger that chemical plants pose to our communities and makes them less appealing targets for terrorists."

We respectfully urge you to use the authority of the Clean Air Act as soon as possible to reduce these catastrophic risks to millions of Americans so that they will no longer be targets of terrorism or Bhopal magnitude chemical accidents. We look forward to working with you and your staff on this critical initiative.

(LETTER WITH 104 GROUPS SIGNED ON ATTACHED)

--

Rick Hind
Legislative Director, Greenpeace
702 H Street, NW #300
Washington, DC 20001

(202) 319-2445 (direct)
(202) 413-8513 (cell)
(202) 462-1177 (switch board)
(202) 462-4507 (fax)
rick.hind@greenpeace.org
www.greenpeaceusa.org

[attachment "Blue Green Coalition Ltr to Obama June 2011.pdf" deleted by Mathy Stanislaus/DC/USEPA/US] [attachment "Blue Green Coalition Letter to House June 2011.pdf" deleted by Mathy Stanislaus/DC/USEPA/US]

EPA-63

Michael Goo/DC/USEPA/US

06/13/2011 07:17 PM

To "Shannon Kenny", "Alex Barron"

cc

bcc

Subject Fw: GHG NSPS

Michael Goo

----- Original Message -----

From: Michael Goo

Sent: 06/13/2011 07:05 PM EDT

To: Richard Windsor

Subject: Re: GHG NSPS

Thanks very much.

(b)(5) (DPP)

Thanks again.

Richard Windsor

----- Original Message -----

From: Richard Windsor

Sent: 06/13/2011 05:10 PM EDT

To: Michael Goo

Subject: Re: GHG NSPS

I'm sorry to hear this. I will deal with it tomorrow. Tx for letting me know.

Michael Goo

----- Original Message -----

From: Michael Goo

Sent: 06/13/2011 02:14 PM EDT


To: Richard Windsor

Subject: GHG NSPS

Administrator:

Hope you are having a good trip. (b)(5) (DPP)

(b)(5) (DPP)



I'm happy to discuss this further in person or on the phone if you would like. I set up some time last friday for a call, but I guess our schedules didn't end up matching.

Thanks very much.

EPA-64

Alex Barron/DC/USEPA/US

06/14/2011 02:15 PM

To Michael Goo

cc Shannon Kenny

bcc

Subject Reply to Cynthia on 112r/BlueGreen

Suggest simply:

(b) (5) (DPP)

(b) (5) (DPP)

Michael Goo

----- Original Message ----- From:...

06/13/2011 09:47:51 AM

From: Michael Goo/DC/USEPA/US

To: "Alex Barron" <Barron.Alex@epamail.epa.gov>

Date: 06/13/2011 09:47 AM

Subject: Fw: Fw: DISASTER PREVENTION OPPTY FOR PRESIDENT OBAMA FROM BLUE GREEN COALITION

Cynthia Giles-AA

----- Original Message -----

From: Cynthia Giles-AA

Sent: 06/09/2011 06:47 PM EDT

To: Mathy Stanislaus

Cc: Gina McCarthy <mccarthy.gina@epa.gov>; Scott Fulton; Michael Goo

Subject: Re: Fw: DISASTER PREVENTION OPPTY FOR PRESIDENT OBAMA FROM BLUE GREEN COALITION

(b) (5) (DPP)

Thanks

Cynthia

Cynthia Giles

Assistant Administrator

U.S. EPA, Office of Enforcement and Compliance Assurance

1200 Pennsylvania Avenue, N.W.

Washington, D.C. 20460

202-564-2440

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Mathy Stanislaus

(b) (5) (DPP)

06/09/2011 09:03:09 AM

From: Mathy Stanislaus/DC/USEPA/US
To: Cynthia Giles-AA/DC/USEPA/US@EPA, Scott Fulton/DC/USEPA/US@EPA, Gina McCarthy <mccarthy.gina@epa.gov>
Date: 06/09/2011 09:03 AM
Subject: Fw: DISASTER PREVENTION OPPTY FOR PRESIDENT OBAMA FROM BLUE GREEN COALITION

(b) (5) (DPP)

Mathy Stanislaus
USEPA Assistant Administrator
Office of Solid Waste & Emergency Response

----- Forwarded by Mathy Stanislaus/DC/USEPA/US on 06/09/2011 09:01 AM -----

From: (b)(6) Lisa Jackson
To: Michael Goo/DC/USEPA/US@EPA, Mathy Stanislaus/DC/USEPA/US@EPA, Gina McCarthy/DC/USEPA/US@EPA
Date: 06/09/2011 07:23 AM
Subject: Fw: DISASTER PREVENTION OPPTY FOR PRESIDENT OBAMA FROM BLUE GREEN COALITION

This is work related and came into my home email. The hard copy letter is no doubt in the office or on its way. Let's discuss. Tx.

Sent from my Verizon Wireless BlackBerry

-----Original Message-----

From: Rick Hind <rick.hind@greenpeace.org>
Date: Tue, 07 Jun 2011 11:32:54
To: (b) (6)
Subject: DISASTER PREVENTION OPPTY FOR PRESIDENT OBAMA FROM BLUE GREEN COALITION

Dear Lisa,

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(202) 319-2445

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(LETTER WITH 104 GROUPS SIGNED ON ATTACHED)

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Rick Hind
Legislative Director, Greenpeace
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rick.hind@greenpeace.org
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[attachment "Blue Green Coalition Ltr to Obama June 2011.pdf" deleted by Mathy Stanislaus/DC/USEPA/US] [attachment "Blue Green Coalition Letter to House June 2011.pdf" deleted by Mathy Stanislaus/DC/USEPA/US]

EPA-65

Alex Barron/DC/USEPA/US

06/15/2011 07:22 PM

To Michael Goo, Shannon Kenny


cc

bcc

Subject Comments on Slide Deck

Here are my first-pass comments

(b) (5) (DPP)

A large rectangular area of the email body is completely redacted with black ink. The redaction covers approximately 80% of the page content below the subject line. The text "(b) (5) (DPP)" is visible in red at the top left of this redacted area.

EPA-66

Michael Goo/DC/USEPA/US
06/15/2011 10:56 PM

To: Alex Barron, Shannon Kenny
cc
bcc
Subject: Re: Comments on Slide Deck

Thx alex I agree with all these. Good work. I am not sure I fully understand the last sentence of your slide 14 comment.

From: Alex Barron
Sent: 06/15/2011 07:22 PM EDT
To: Michael Goo; Shannon Kenny
Subject: Comments on Slide Deck

Here are my first-pass comments

(b) (5) (DPP)

A large rectangular area of the email body is completely redacted with black ink. The redaction covers approximately 80% of the page content below the subject line. The text "(b) (5) (DPP)" is visible in red at the top left of this redacted area.

EPA-67

Alex Barron/DC/USEPA/US

06/16/2011 10:58 AM

To Joseph Goffman

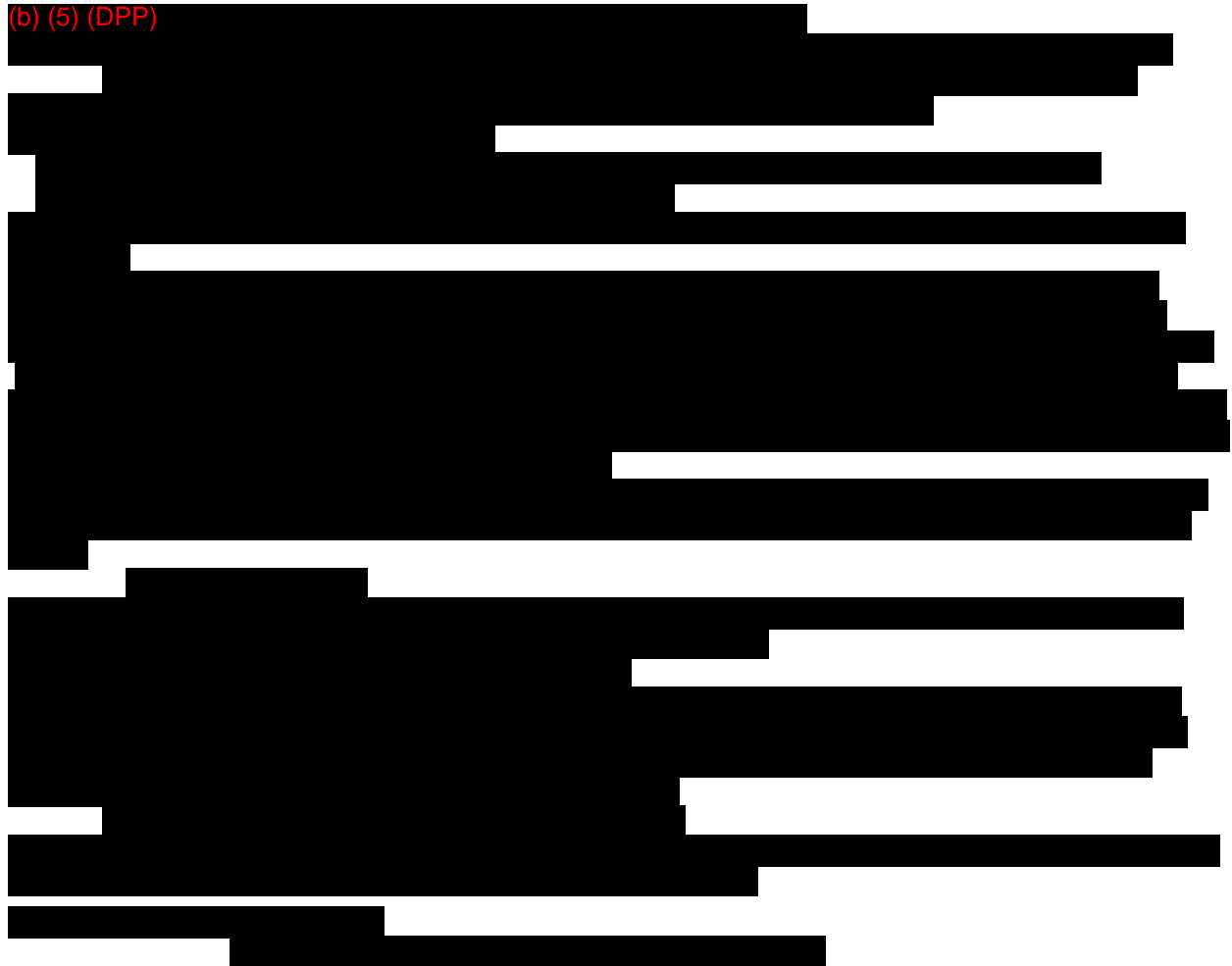
cc Shannon Kenny, Michael Goo

bcc

Subject Comments on slide deck

Joe - Here are our quick-read comments on the slide deck, which are not as cleanly written as I would like in the interests of getting them to you sooner rather than later. I'm working off of notes from Michael and Shannon so feel free to follow up if you need clarification.

(b) (5) (DPP)

A large rectangular area of the email body is completely redacted with black ink. The redaction covers approximately 10 lines of text. The text "(b) (5) (DPP)" is written in red at the top left of this redacted area.

Alex

EPA-68

Michael Goo/DC/USEPA/US

06/20/2011 05:55 PM

To "Alex Barron", "Shannon Kenny"

cc "Paul Balserak"

bcc

Subject Fw: GHG NSPS Update

Gina McCarthy

----- Original Message -----

From: Gina McCarthy

Sent: 06/20/2011 05:47 PM EDT

To: Richard Windsor

Cc: perciasepe.bob@epa.gov; Michael Goo; Sussman.bob@EPA.GOV;
Fulton.Scott@EPA.GOV; Joseph Goffman; Janet McCabe; Thompson.Diane@EPA.GOV;
McIntosh.David@EPA.GOV

Subject: GHG NSPS Update

(b) (5) (DPP)



If I missed anything or misspoke in any way, I am hoping that others will add or clarify.

Thanks

EPA-69

Alex Barron/DC/USEPA/US
06/21/2011 08:29 PM

To "Al McGartland", "DavidA Evans", "Alex Marten", "goomichael", "Shannon Kenny"
cc Balserak.Paul
bcc
Subject lpm modeling?

(b) (5) (DPP)

A

Kevin Culligan

----- Original Message -----

From: Kevin Culligan
Sent: 06/21/2011 07:34 PM EDT
To: Alex Barron
Subject: Fw: materials for 5:00

----- Forwarded by Kevin Culligan/DC/USEPA/US on 06/21/2011 07:34 PM -----

From: Kevin Culligan/DC/USEPA/US
To: Amy Vasu/RTP/USEPA/US@EPA, Chris Frantz/RTP/USEPA/US@EPA, Christian Fellner/RTP/USEPA/US@EPA, Erich Eschmann/DC/USEPA/US@EPA, Jeb Stenhouse/DC/USEPA/US@EPA, Jim Ketcham-Colwill/DC/USEPA/US@EPA, Joseph Goffman/DC/USEPA/US@EPA, Lorie Schmidt/DC/USEPA/US@EPA, Nick Hutson/RTP/USEPA/US@EPA, Peter Tsirigotis/RTP/USEPA/US@EPA, RobertJ Wayland/RTP/USEPA/US@EPA, Howard Hoffman/DC/USEPA/US@EPA
Date: 06/21/2011 04:59 PM
Subject: materials for 5:00

thanks to Erich and Chris



modeling summary 1 page.docx

WIF
Ex (b)(5) DPP, ACP



Cost and Reductions overview_v2.docx

WIF
Ex (b)(5) DPP, ACP

EPA-70

Michael Goo/DC/USEPA/US

06/22/2011 05:07 PM

To Alex Barron

cc DavidA Evans, Alex Marten

bcc

Subject Fw: More on the need for phase-in

----- Forwarded by Michael Goo/DC/USEPA/US on 06/22/2011 05:07 PM -----

From: Conrad Schneider <cschneider@catf.us>
To: Michael Goo/DC/USEPA/US@EPA
Cc: Joe Chaisson <jchaisson@catf.us>, Joe Chaisson (b) (6)
Date: 06/22/2011 01:11 PM
Subject: More on the need for phase-in

Michael-

Here are two graphs that shed some light on the impact of the 2100 lb/10,000 heat rate standard. The first makes the point graphically that I made in my previous message: the 2100 standard would affect ~70% of the units and ~60% of the capacity and 54% of the generation. This is from NorthBridge. The second graph (from MSB Energy Associates) makes the point that the vast majority of the plants over 10,000 heat rate are under 11,000 and over half of those are under 10,500. So, although a large number of units are over 10,000 heat rate, most of them are not very much over 10,000 (suggesting that they may have some compliance options other than retirement).

Thanks,
CS



Fleet Characteristics Slide.pdf



PastedGraphic-4.pdf

Conrad G. Schneider
Advocacy Director
Clean Air Task Force
cschneider@catf.us
www.catf.us
169 Park Row
Brunswick, Maine 04011
207/721-8676
207/721-8696 (facsimile)

EPA-71

Alex Barron/DC/USEPA/US

06/23/2011 11:35 AM

To Michael Goo, Shannon Kenny

cc Al McGartland, DavidA Evans, Alex Marten, Paul Balserak

bcc

Subject Fw: Updating presentation

(b) (5) (DPP)

Still reviewing.

----- Forwarded by Alex Barron/DC/USEPA/US on 06/23/2011 11:26 AM -----

From: Kevin Culligan/DC/USEPA/US
To: Kevin Culligan/DC/USEPA/US@EPA
Cc: Alex Barron/DC/USEPA/US@EPA, Amy Vasu/RTP/USEPA/US@EPA, Chris Frantz/RTP/USEPA/US@EPA, Christian Fellner/RTP/USEPA/US@EPA, Erich Eschmann/DC/USEPA/US@EPA, Jeb Stenhouse/DC/USEPA/US@EPA, Joanne Tammaro/RTP/USEPA/US@EPA, Nick Hutson/RTP/USEPA/US@EPA
Date: 06/23/2011 11:22 AM
Subject: Re: Updating presentation

Current version of presentation - Chris Frantz has pen - send any edits comments to both him and I (even if you've already sent them to me).



WIF

Ex (b)(5) DPP

ghg nsp 6-23 11am.pptx

Kevin Culligan

You all should have an invite for a 9:30...


06/23/2011 09:06:53 AM

From: Kevin Culligan/DC/USEPA/US
To: Erich Eschmann/DC/USEPA/US, Jeb Stenhouse/DC/USEPA/US, Alex Barron/DC/USEPA/US, Amy Vasu/RTP/USEPA/US, chris frantz, Christian Fellner/RTP/USEPA/US, Nick Hutson/RTP/USEPA/US
Cc: Joanne Tammaro/RTP/USEPA/US
Date: 06/23/2011 09:06 AM
Subject: Updating presentation

You all should have an invite for a 9:30 call on the presentation. There are several things we need to do

(b) (5) (DPP)

(b) (5) (DPP)

A large rectangular area of the document is completely redacted with a solid black fill.A large rectangular area of the document is completely redacted with a solid black fill.

We need this all ASAP - probably like 11:30 so we can pull everything together and start making copies by 12:00

Sent with Good (www.good.com)

EPA-72

Michael Goo/DC/USEPA/US
06/28/2011 08:55 AM

To "Alex Barron", "Al McGartland", Kenny.Shannon, "Robin Kime"

cc

bcc

Subject Fw: Information Update - Description has changed: GAO JC 361308 Entrance Conference - New Environmental Regulations & the Electricity Sector

? ?

Gina McCarthy

----- Original Message -----

From: Gina McCarthy

Sent: 06/27/2011 08:19 PM EDT

To: perciasepe.bob@epa.gov; Michael Goo

Cc: Joseph Goffman; Janet McCabe

Subject: Fw: Information Update - Description has changed: GAO JC 361308 Entrance Conference - New Environmental Regulations & the Electricity Sector

(b) (5) (DPP)



----- Forwarded by Gina McCarthy/DC/USEPA/US on 06/27/2011 08:10 PM -----

From: Peter Tsirigotis/RTP/USEPA/US

To: Gina McCarthy/DC/USEPA/US, Joseph Goffman/DC/USEPA/US, Steve Page/RTP/USEPA/US, Rob Brenner/DC/USEPA/US, Don Zinger/DC/USEPA/US, Lorie Schmidt/DC/USEPA/US

Date: 06/27/2011 07:58 PM

Subject: FW: Fw: Information Update - Description has changed: GAO JC 361308 Entrance Conference - New Environmental Regulations & the Electricity Sector

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Sent with Good (www.good.com)

----- Forwarded by Peter Tsirigotis/RTP/USEPA/US on 06/27/2011 07:58:49 PM-----

----- Original Message -----

From : Megan Bracht/DC/USEPA/US

To : Peter Tsirigotis/RTP/USEPA/US@EPA

Cc :
Sent on : 06/27/2011 06:39:56 PM
Subject : Fw: Information Update - Description has changed: GAO JC 361308 Entrance Conference - New Environmental Regulations & the Electricity Sector

Peter -- Here's what I have on the GAO study. Here's a Q&A I put together for Gina on the subject:



one-pgr GAO study.docx

Thanks for bringing this up with Gina.

Regards,
Megan

Megan V. Brachtl
Office of Air Quality Planning and Standards
U.S. Environmental Protection Agency
tel: 919-541-2648
brachtl.megan@epa.gov
----- Forwarded by Megan Brachtl/DC/USEPA/US on 06/27/2011 06:36 PM -----

From: Bill Maxwell/RTP/USEPA/US
To: Megan Brachtl/DC/USEPA/US@EPA
Date: 06/17/2011 07:23 PM
Subject: Fw: Information Update - Description has changed: GAO JC 361308 Entrance Conference - New Environmental Regulations & the Electricity Sector

FYI.

Deliberative Document -- FOIA Exempt

Bill Maxwell
Energy Strategies Group
Sector Policies and Programs Division
U.S. EPA Mail Code D243-01
109 T.W. Alexander Drive
Research Triangle Park, NC 27711
Phone: 919-541-5430
FAX: 919-541-5450

----- Forwarded by Bill Maxwell/RTP/USEPA/US on 06/17/2011 07:22 PM -----

**Information Update - Description has changed: GAO JC 361308
Entrance Conference - New Environmental Regulations & the
Electricity Sector**

Thu 06/30/2011 11:00 AM - 12:00 PM

Attendance is **required** for Bill Maxwell

Chair: **MarkT Howard/DC/USEPA/US**

Location: TBD 1 (b) (6), the Conference Code is (b) (6)

MarkT Howard has sent updated information; description has changed

Changes are a few corrections put in the description section.

Required:	Al McGartland/DC/USEPA/US@EPA, Alex Marten/DC/USEPA/US@EPA, Bill Maxwell/RTP/USEPA/US@EPA, Charlotte Bertrand/DC/USEPA/US@EPA, DavidA Evans/DC/USEPA/US@EPA, Frank Behan/DC/USEPA/US@EPA, Jan Matuszko/DC/USEPA/US@EPA, Jeb Stenhouse/DC/USEPA/US@EPA, Julie Hewitt/DC/USEPA/US@EPA, Larry Kertcher/DC/USEPA/US@EPA, Larry Sorrels/RTP/USEPA/US@EPA, Maryt Smith/DC/USEPA/US@EPA, Nathalie Simon/DC/USEPA/US@EPA, Paul Balserak/DC/USEPA/US@EPA, Richard Robinson/DC/USEPA/US@EPA, Ron Evans/RTP/USEPA/US@EPA, Tim Smith/RTP/USEPA/US@EPA
Optional:	Bobbie Trent/DC/USEPA/US, David LaRoche/DC/USEPA/US@EPA, Marilyn Ramos/DC/USEPA/US@EPA, StephanieN Brown/DC/USEPA/US@EPA, Steve Newbold/DC/USEPA/US@EPA

Description

GAO JC 361308 Entrance Conference - New Environmental Regulations & the Electricity Sector

Date: Thursday, June 30th, 2011
Time: 11:00
Location: TBD
Dial-In #: (b) (6) , the Conference Code is (b) (6) #

A. Background Information:

This job spills overlaps with the formerly two and now one New Source Review jobs. GAO has decided to reconsolidate those jobs: 361278 & 361287 back under the first job code. The GAO team from the second job is now assigned to this new job.

Engagement Objectives (from notification letter):

EPA has several proposed major environmental regulations that will affect fossil-fueled power plants, including the Clean Air Transport Rule, Utility MACT, Coal Combustion Residuals, and Cooling Water Intake Structures 316(b).

- What is known about how plant owners plan to comply with proposed major environmental regulations, and what challenges and opportunities might they face?
- To what extent does EPA coordinate rulemaking across pollutants and over time?
- What is known about the anticipated costs and benefits of proposed major environmental regulatory requirements?

Notification Letter:



EPA_361308.pdf

B. Directions to meeting:

C. Anticipated Meeting Participants :

EPA:

Al McGartland/DC/USEPA/US@EPA
Alex Marten/DC/USEPA/US@EPA
Bill Maxwell/RTP/USEPA/US@EPA
David A. Evans/DC/USEPA/US@EPA
Jan Matuszko/DC/USEPA/US@EPA
Julie Hewitt/DC/USEPA/US@EPA
Maryt Smith/DC/USEPA/US@EPA
Nathalie Simon/DC/USEPA/US@EPA
Paul Balserak/DC/USEPA/US@EPA
Tim Smith/RTP/USEPA/US@EPA
Frank Behan/DC/USEPA/US@EPA,
Richard Robinson/DC/USEPA/US@EPA,
Charlotte Bertrand/DC/USEPA/US,

GAO:

EPA-73

Alex Barron/DC/USEPA/US

06/28/2011 08:57 AM

To Michael Goo, "Shannon Kenny"

cc "Robin Kime"

bcc

Subject Re: Information Update - Description has changed: GAO JC 361308 Entrance Conference - New Environmental Regulations & the Electricity Sector

Will fill you in at 930

Michael Goo

----- Original Message -----

From: Michael Goo

Sent: 06/28/2011 08:55 AM EDT

To: Alex Barron; Al McGartland; Shannon Kenny; Robin Kime

Subject: Fw: Information Update - Description has changed: GAO JC 361308 Entrance Conference - New Environmental Regulations & the Electricity Sector
? ?

Gina McCarthy

----- Original Message -----

From: Gina McCarthy

Sent: 06/27/2011 08:19 PM EDT

To: perciasepe.bob@epa.gov; Michael Goo

Cc: Joseph Goffman; Janet McCabe

Subject: Fw: Information Update - Description has changed: GAO JC 361308 Entrance Conference - New Environmental Regulations & the Electricity Sector
(b) (5) (DPP)

----- Forwarded by Gina McCarthy/DC/USEPA/US on 06/27/2011 08:10 PM -----

From: Peter Tsirigotis/RTP/USEPA/US

To: Gina McCarthy/DC/USEPA/US, Joseph Goffman/DC/USEPA/US, Steve Page/RTP/USEPA/US, Rob Brenner/DC/USEPA/US, Don Zinger/DC/USEPA/US, Lorie Schmidt/DC/USEPA/US

Date: 06/27/2011 07:58 PM

Subject: FW: Fw: Information Update - Description has changed: GAO JC 361308 Entrance Conference - New Environmental Regulations & the Electricity Sector

FYI, per our discussion this evening. GAO has reached out to Mark Howard (I'm told he works in OCFO). It seems that Mark has set up a meeting with some select program staff, OP, and GAO for June 30. I'll get more info tomorrow and have a better idea of how this happened and what expectations have been set with GAO. One of the attachments is the letter from GAO to Mark Howard, explaining the overall topic that they are starting to look at.

Sent with Good (www.good.com)

----- Forwarded by Peter Tsirigotis/RTP/USEPA/US on 06/27/2011 07:58:49 PM-----

----- Original Message -----

From : Megan Brachtl/DC/USEPA/US
To : Peter Tsirigotis/RTP/USEPA/US@EPA
Cc :
Sent on : 06/27/2011 06:39:56 PM
Subject : Fw: Information Update - Description has changed: GAO JC 361308 Entrance Conference - New Environmental Regulations & the Electricity Sector

Peter -- Here's what I have on the GAO study. Here's a Q&A I put together for Gina on the subject:

[attachment "one-pgr GAO study.docx" deleted by Alex Barron/DC/USEPA/US]

Thanks for bringing this up with Gina.

Regards,
Megan

Megan V. Brachtl
Office of Air Quality Planning and Standards
U.S. Environmental Protection Agency
tel: 919-541-2648
brachtl.megan@epa.gov

----- Forwarded by Megan Brachtl/DC/USEPA/US on 06/27/2011 06:36 PM -----

From: Bill Maxwell/RTP/USEPA/US
To: Megan Brachtl/DC/USEPA/US@EPA
Date: 06/17/2011 07:23 PM
Subject: Fw: Information Update - Description has changed: GAO JC 361308 Entrance Conference - New Environmental Regulations & the Electricity Sector

FYI.

Deliberative Document -- FOIA Exempt

Bill Maxwell
Energy Strategies Group
Sector Policies and Programs Division
U.S. EPA Mail Code D243-01
109 T.W. Alexander Drive
Research Triangle Park, NC 27711
Phone: 919-541-5430
FAX: 919-541-5450

----- Forwarded by Bill Maxwell/RTP/USEPA/US on 06/17/2011 07:22 PM -----

**Information Update - Description has changed: GAO JC 361308
Entrance Conference - New Environmental Regulations & the
Electricity Sector**
Thu 06/30/2011 11:00 AM - 12:00 PM

Attendance is required for Bill Maxwell

Chair: **MarkT Howard/DC/USEPA/US**

Location: TBD 1 [REDACTED] the Conference Code is 2 [REDACTED]

MarkT Howard has sent updated information; description has changed

Changes are a few corrections put in the description section.

Required:

Al McGartland/DC/USEPA/US@EPA, Alex Marten/DC/USEPA/US@EPA, Bill Maxwell/RTP/USEPA/US@EPA, Charlotte Bertrand/DC/USEPA/US@EPA, DavidA Evans/DC/USEPA/US@EPA, Frank Behan/DC/USEPA/US@EPA, Jan Matuszko/DC/USEPA/US@EPA, Jeb Stenhouse/DC/USEPA/US@EPA, Julie Hewitt/DC/USEPA/US@EPA, Larry Kertcher/DC/USEPA/US@EPA, Larry Sorrels/RTP/USEPA/US@EPA, Maryt Smith/DC/USEPA/US@EPA, Nathalie Simon/DC/USEPA/US@EPA, Paul Balserak/DC/USEPA/US@EPA, Richard Robinson/DC/USEPA/US@EPA, Ron Evans/RTP/USEPA/US@EPA, Tim Smith/RTP/USEPA/US@EPA

Optional:

Bobbie Trent/DC/USEPA/US, David LaRoche/DC/USEPA/US@EPA, Marilyn Ramos/DC/USEPA/US@EPA, StephanieN Brown/DC/USEPA/US@EPA, Steve Newbold/DC/USEPA/US@EPA

Description

GAO JC 361308 Entrance Conference - New Environmental Regulations & the Electricity Sector

Date: Thursday, June 30th, 2011

Time: 11:00

Location: TBD

Dial-In #: [REDACTED], the Conference Code is [REDACTED] #

A. Background Information:

This job spills overlaps with the formerly two and now one New Source Review jobs. GAO has decided to reconsolidate those jobs: 361278 & 361287 back under the first job code. The GAO team from the second job is now assigned to this new job.

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EPA has several proposed major environmental regulations that will affect fossil-fueled power plants, including the Clean Air Transport Rule, Utility MACT, Coal Combustion Residuals, and Cooling Water Intake Structures 316(b).

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Notification Letter:



EPA_361308.pdf

B. Directions to meeting:

C. Anticipated Meeting Participants:

EPA:

Al McGartland/DC/USEPA/US@EPA
Alex Marten/DC/USEPA/US@EPA
Bill Maxwell/RTP/USEPA/US@EPA
David A Evans/DC/USEPA/US@EPA
Jan Matuszko/DC/USEPA/US@EPA
Julie Hewitt/DC/USEPA/US@EPA
Maryt Smith/DC/USEPA/US@EPA
Nathalie Simon/DC/USEPA/US@EPA
Paul Balserak/DC/USEPA/US@EPA
Tim Smith/RTP/USEPA/US@EPA
Frank Behan/DC/USEPA/US@EPA,
Richard Robinson/DC/USEPA/US@EPA,
Charlotte Bertrand/DC/USEPA/US,

GAO:

EPA-74

Michael Goo/DC/USEPA/US
06/28/2011 09:00 AM

To "Alex Barron", "Al McGartland", "Robin Kime", "Shannon
Kenny"

cc

bcc

Subject Fw: Fw: Information Update - Description has changed: GAO
JC 361308 Entrance Conference - New Environmental
Regulations & the Electricity Sector

From: Bob Perciasepe
Sent: 06/27/2011 09:31 PM EDT
To: Gina McCarthy
Cc: Janet McCabe; Joseph Goffman; Michael Goo; perciasepe.bob@epa.gov; Nena Shaw; Barbara Bennett
Subject: Re: Fw: Information Update - Description has changed: GAO JC 361308 Entrance Conference - New
Environmental Regulations & the Electricity Sector

(b) (5) (DPP)



I am also copying Barb Bennet since OCFO is mentioned

Bob Perciasepe
Deputy Administrator

(o) +1 202 564 4711

(b) (6)



-----Gina McCarthy/DC/USEPA/US wrote: -----

To: perciasepe.bob@epa.gov, Michael Goo/DC/USEPA/US@EPA
From: Gina McCarthy/DC/USEPA/US
Date: 06/27/2011 08:19PM
Cc: Joseph Goffman/DC/USEPA/US@EPA, Janet McCabe/DC/USEPA/US@EPA
Subject: Fw: Information Update - Description has changed: GAO JC 361308 Entrance Conference -
New Environmental Regulations & the Electricity Sector

(b) (5) (DPP)




----- Forwarded by Gina McCarthy/DC/USEPA/US on 06/27/2011 08:10 PM -----

From: Peter Tsirigotis/RTP/USEPA/US
To: Gina McCarthy/DC/USEPA/US, Joseph Goffman/DC/USEPA/US, Steve Page/RTP/USEPA/US, Rob Brenner/DC/USEPA/US, Don Zinger/DC/USEPA/US, Lorie Schmidt/DC/USEPA/US
Date: 06/27/2011 07:58 PM
Subject: FW: Fw: Information Update - Description has changed: GAO JC 361308 Entrance Conference - New Environmental Regulations & the Electricity Sector

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Sent with Good (www.good.com)

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----- Original Message -----

From : Megan Brachtl/DC/USEPA/US
To : Peter Tsirigotis/RTP/USEPA/US@EPA
Cc :
Sent on : 06/27/2011 06:39:56 PM
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Megan

Megan V. Brachtl
Office of Air Quality Planning and Standards
U.S. Environmental Protection Agency
tel: 919-541-2648
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----- Forwarded by Megan Brachtl/DC/USEPA/US on 06/27/2011 06:36 PM -----

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To: Megan Brachtl/DC/USEPA/US@EPA
Date: 06/17/2011 07:23 PM
Subject: Fw: Information Update - Description has changed: GAO JC 361308 Entrance Conference - New Environmental Regulations & the Electricity Sector

FYI.

Deliberative Document -- FOIA Exempt

Bill Maxwell
Energy Strategies Group
Sector Policies and Programs Division
U.S. EPA Mail Code D243-01
109 T.W. Alexander Drive
Research Triangle Park, NC 27711
Phone: 919-541-5430
FAX: 919-541-5450

----- Forwarded by Bill Maxwell/RTP/USEPA/US on 06/17/2011 07:22 PM -----

**Information Update - Description has changed: GAO JC 361308 Entrance
Conference - New Environmental Regulations & the Electricity Sector**

Thu 06/30/2011 11:00 AM - 12:00 PM

Attendance is **required** for Bill Maxwell

Chair: **MarkT Howard/DC/USEPA/US**

Location: TBD [REDACTED], the Conference Code is [REDACTED]

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Changes are a few corrections put in the description section.

Required : Al McGartland/DC/USEPA/US@EPA, Alex Marten/DC/USEPA/US@EPA, Bill Maxwell/RTP/USEPA/US@EPA, Charlotte Bertrand/DC/USEPA/US@EPA, DavidA Evans/DC/USEPA/US@EPA, Frank Behan/DC/USEPA/US@EPA, Jan Matuszko/DC/USEPA/US@EPA, Jeb Stenhouse/DC/USEPA/US@EPA, Julie Hewitt/DC/USEPA/US@EPA, Larry Kertcher/DC/USEPA/US@EPA, Larry Sorrels/RTP/USEPA/US@EPA, Maryt Smith/DC/USEPA/US@EPA, Nathalie Simon/DC/USEPA/US@EPA, Paul Balserak/DC/USEPA/US@EPA, Richard Robinson/DC/USEPA/US@EPA, Ron Evans/RTP/USEPA/US@EPA, Tim Smith/RTP/USEPA/US@EPA

Optional: Bobbie Trent/DC/USEPA/US, David LaRoche/DC/USEPA/US@EPA, Marilyn Ramos/DC/USEPA/US@EPA, StephanieN Brown/DC/USEPA/US@EPA, Steve Newbold/DC/USEPA/US@EPA

**GAO JC 361308 Entrance Conference - New Environmental Regulations
& the Electricity Sector**

Date: Thursday, June 30th, 2011

Time: 11:00

Location: TBD

Dial-In #: [REDACTED] the Conference Code is [REDACTED]

A. Background Information:

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GAO has decided to reconsolidate those jobs: 361278 & 361287 back under the first job code.
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- What is known about the anticipated costs and benefits of proposed major environmental regulatory requirements?

Notification Letter:

B. Directions to meeting :

C. Anticipated Meeting Participants :

EPA:

Al McGartland/DC/USEPA/US@EPA
Alex Marten/DC/USEPA/US@EPA
Bill Maxwell/RTP/USEPA/US@EPA
DavidA Evans/DC/USEPA/US@EPA
Jan Matuszko/DC/USEPA/US@EPA
Julie Hewitt/DC/USEPA/US@EPA
Maryt Smith/DC/USEPA/US@EPA
Nathalie Simon/DC/USEPA/US@EPA
Paul Balserak/DC/USEPA/US@EPA
Tim Smith/RTP/USEPA/US@EPA
Frank Behan/DC/USEPA/US@EPA,
Richard Robinson/DC/USEPA/US@EPA,
Charlotte Bertrand/DC/USEPA/US,

GAO:

EPA-75

Alex Barron/DC/USEPA/US

06/28/2011 12:40 PM

To Michael Goo

cc Kenny.Shannon, "Robin Kime", "Al McGartland"

bcc

Subject Re: Fw: Information Update - Description has changed: GAO JC 361308 Entrance Conference - New Environmental Regulations & the Electricity Sector

Gina - This is the first that the GAO study has come to my attention as well, although both our staffs have known about it - the entrance conference has apparently already been postponed once. (b) (5) (DPP)

[REDACTED]

Michael Goo

? ? ----- Original Message -----

06/28/2011 08:55:22 AM

From: Michael Goo/DC/USEPA/US

To: "Alex Barron" <Barron.Alex@epamail.epa.gov>, "Al McGartland" <McGartland.Al@epamail.epa.gov>, Kenny.Shannon@epamail.epa.gov, "Robin Kime" <Kime.Robin@epamail.epa.gov>

Date: 06/28/2011 08:55 AM

Subject: Fw: Information Update - Description has changed: GAO JC 361308 Entrance Conference - New Environmental Regulations & the Electricity Sector

? ?

Gina McCarthy

----- Original Message -----

From: Gina McCarthy

Sent: 06/27/2011 08:19 PM EDT

To: perciasepe.bob@epa.gov; Michael Goo

Cc: Joseph Goffman; Janet McCabe

Subject: Fw: Information Update - Description has changed: GAO JC 361308 Entrance Conference - New Environmental Regulations & the Electricity Sector

(b) (5) (DPP)

[REDACTED]

----- Forwarded by Gina McCarthy/DC/USEPA/US on 06/27/2011 08:10 PM -----

From: Peter Tsirigotis/RTP/USEPA/US
To: Gina McCarthy/DC/USEPA/US, Joseph Goffman/DC/USEPA/US, Steve Page/RTP/USEPA/US, Rob Brenner/DC/USEPA/US, Don Zinger/DC/USEPA/US, Lorie Schmidt/DC/USEPA/US
Date: 06/27/2011 07:58 PM
Subject: FW: Fw: Information Update - Description has changed: GAO JC 361308 Entrance Conference - New Environmental Regulations & the Electricity Sector

FYI, per our discussion this evening. GAO has reached out to Mark Howard (I'm told he works in OCFO). It seems that Mark has set up a meeting with some select program staff, OP, and GAO for June 30. I'll get more info tomorrow and have a better idea of how this happened and what expectations have been set with GAO. One of the attachments is the letter from GAO to Mark Howard, explaining the overall topic that they are starting to look at.

Sent with Good (www.good.com)

----- Forwarded by Peter Tsirigotis/RTP/USEPA/US on 06/27/2011 07:58:49 PM-----

----- Original Message -----

From : Megan Bracht/DC/USEPA/US
To : Peter Tsirigotis/RTP/USEPA/US@EPA
Cc :
Sent on : 06/27/2011 06:39:56 PM
Subject : Fw: Information Update - Description has changed: GAO JC 361308 Entrance Conference - New Environmental Regulations & the Electricity Sector

Peter -- Here's what I have on the GAO study. Here's a Q&A I put together for Gina on the subject:

[attachment "one-pgr GAO study.docx" deleted by Alex Barron/DC/USEPA/US]

Thanks for bringing this up with Gina.

Regards,
Megan

Megan V. Bracht
Office of Air Quality Planning and Standards
U.S. Environmental Protection Agency
tel: 919-541-2648
bracht.megan@epa.gov

----- Forwarded by Megan Bracht/DC/USEPA/US on 06/27/2011 06:36 PM -----

From: Bill Maxwell/RTP/USEPA/US
To: Megan Bracht/DC/USEPA/US@EPA
Date: 06/17/2011 07:23 PM
Subject: Fw: Information Update - Description has changed: GAO JC 361308 Entrance Conference - New Environmental Regulations & the Electricity Sector

FYI.

Deliberative Document -- FOIA Exempt

Bill Maxwell

Energy Strategies Group
Sector Policies and Programs Division
U.S. EPA Mail Code D243-01
109 T.W. Alexander Drive
Research Triangle Park, NC 27711
Phone: 919-541-5430
FAX: 919-541-5450

----- Forwarded by Bill Maxwell/RTP/USEPA/US on 06/17/2011 07:22 PM -----

**Information Update - Description has changed: GAO JC 361308
Entrance Conference - New Environmental Regulations & the
Electricity Sector**

Thu 06/30/2011 11:00 AM - 12:00 PM

Attendance is required for Bill Maxwell

Chair: **MarkT Howard/DC/USEPA/US**

Location: TBD [REDACTED], the Conference Code is [REDACTED]

MarkT Howard has sent updated information; description has changed

Changes are a few corrections put in the description section.

Required:

Al McGartland/DC/USEPA/US@EPA, Alex Marten/DC/USEPA/US@EPA, Bill Maxwell/RTP/USEPA/US@EPA, Charlotte Bertrand/DC/USEPA/US@EPA, DavidA Evans/DC/USEPA/US@EPA, Frank Behan/DC/USEPA/US@EPA, Jan Matuszko/DC/USEPA/US@EPA, Jeb Stenhouse/DC/USEPA/US@EPA, Julie Hewitt/DC/USEPA/US@EPA, Larry Kertcher/DC/USEPA/US@EPA, Larry Sorrels/RTP/USEPA/US@EPA, Maryt Smith/DC/USEPA/US@EPA, Nathalie Simon/DC/USEPA/US@EPA, Paul Balserak/DC/USEPA/US@EPA, Richard Robinson/DC/USEPA/US@EPA, Ron Evans/RTP/USEPA/US@EPA, Tim Smith/RTP/USEPA/US@EPA

Optional:

Bobbie Trent/DC/USEPA/US, David LaRoche/DC/USEPA/US@EPA, Marilyn Ramos/DC/USEPA/US@EPA, StephanieN Brown/DC/USEPA/US@EPA, Steve Newbold/DC/USEPA/US@EPA

Description

**GAO JC 361308 Entrance Conference - New Environmental
Regulations & the Electricity Sector**

Date: Thursday, June 30th, 2011

Time: 11:00

Location: TBD

Dial-In #: [REDACTED] the Conference Code is
[REDACTED] #

A. Background Information:

This job spills overlaps with the formerly two and now one New Source Review jobs. GAO has decided to reconsolidate those jobs: 361278 & 361287 back under the first job code. The GAO team from the second job is now assigned to this new job.

Engagement Objectives (from notification letter):

EPA has several proposed major environmental regulations that will affect fossil-fueled power plants, including the Clean Air Transport Rule, Utility MACT, Coal Combustion Residuals, and Cooling Water Intake Structures 316(b).

- What is known about how plant owners plan to comply with proposed major environmental regulations, and what challenges and opportunities might they face?
- To what extent does EPA coordinate rulemaking across pollutants and over time?
- What is known about the anticipated costs and benefits of proposed major environmental regulatory requirements?

Notification Letter:

[attachment "EPA_361308.pdf" deleted by Alex Barron/DC/USEPA/US]

B. Directions to meeting:

C. Anticipated Meeting Participants:

EPA:

Al McGartland/DC/USEPA/US@EPA
Alex Marten/DC/USEPA/US@EPA
Bill Maxwell/RTP/USEPA/US@EPA
David A. Evans/DC/USEPA/US@EPA
Jan Matuszko/DC/USEPA/US@EPA
Julie Hewitt/DC/USEPA/US@EPA
Maryt Smith/DC/USEPA/US@EPA
Nathalie Simon/DC/USEPA/US@EPA
Paul Balserak/DC/USEPA/US@EPA
Tim Smith/RTP/USEPA/US@EPA
Frank Behan/DC/USEPA/US@EPA,
Richard Robinson/DC/USEPA/US@EPA,
Charlotte Bertrand/DC/USEPA/US,

GAO:

EPA-76

Michael Goo/DC/USEPA/US

06/29/2011 10:28 AM

To Shannon Kenny

cc Alex Barron

bcc

Subject Fw: from EDF -- Fw: GHG NSPS 111(d) design

----- Forwarded by Michael Goo/DC/USEPA/US on 06/29/2011 10:28 AM -----

From: Howard Hoffman/DC/USEPA/US
To: Lorie Schmidt/DC/USEPA/US@EPA, Joseph Goffman/DC/USEPA/US@EPA, Michael Goo/DC/USEPA/US@EPA, Kevin Culligan/DC/USEPA/US@EPA, Jim Ketcham-Colwill/DC/USEPA/US@EPA, Paul Balserak/DC/USEPA/US@EPA
Cc: Elliott Zenick/DC/USEPA/US@EPA, Scott Jordan/DC/USEPA/US@EPA
Date: 06/29/2011 10:05 AM
Subject: from EDF -- Fw: GHG NSPS 111(d) design

I'm not sure if they sent this to you, and if not, I'm not sure why they just sent it to me, but I'm sending it along to you all.

Howard J. Hoffman EPA-OGC-ARLO
(202) 564-5582 (v); -5603 (fax); (240) 401-9721 (cell)
The contents of this e-mail and any attachments to it
may be attorney-client or deliberative-process privileged.

----- Forwarded by Howard Hoffman/DC/USEPA/US on 06/29/2011 10:04 AM -----

From: Megan Ceronsky <mceronsky@edf.org>
To: Howard Hoffman/DC/USEPA/US@EPA
Date: 06/28/2011 05:32 PM
Subject: GHG NSPS 111(d) design

Hello Howard—

We wanted to send you the latest version of our thinking for the design of the power plant GHG NSPS under Sec. 111(d). We would welcome an opportunity to discuss this with you and get your thoughts.

Best,
Megan

*Megan Ceronsky
Attorney
Environmental Defense Fund
(303) 447-7224 (P)
(303) 440-8052 (F)
2060 Broadway
Suite 300
Boulder, CO 80302*

This e-mail and any attachments may contain confidential and privileged information. If you are not the intended recipient, please notify the sender immediately by return e-mail, delete this e-mail and destroy any copies. Any dissemination or use of this information by a person other than the intended recipient is unauthorized and may be illegal.



Section 111(d) GHG NSPS Design Framework (6.28.2011, detailed).docx

EPA-77

Michael Goo/DC/USEPA/US
Sent by: Robin Kime

06/30/2011 11:40 AM

To Bob Perciasepe, Bob Sussman, Gina McCarthy, Scott Fulton
cc Lorie Schmidt, Joseph Goffman
bcc Alex Barron, Shannon Kenny
Subject Utility GHG NSPS

NSPS Team:

In preparation for our meeting this evening, I wanted to offer a list of issues within the Utility GHG NSPS that may merit further discussion.

(b) (5) (DPP)



(b) (5) (DPP)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(b) (5) (DPP)



EPA-78

Alex Barron/DC/USEPA/US

07/06/2011 07:07 PM

To Michael Goo

cc Robin Kime, Shannon Kenny, Al McGartland

bcc

Subject SCC Background Memo for MG

Michael - Here is the short background memo on uses of the SCC for regulatory purposes.

Alex



- SCC Background Memo for MG.docx

WIF

Ex (b)(5) DPP

EPA-79

Alex Barron/DC/USEPA/US

07/07/2011 09:41 PM

To Michael Goo

cc Shannon Kenny

bcc

Subject How do you feel about a table like this for the briefing packet?

(b)(5) (DPP)

EPA-80

Michael Goo/DC/USEPA/US
07/07/2011 11:37 PM

To: Alex Barron
cc
bcc
Subject: Re: How do you feel about a table like this for the briefing packet?

Good
Alex Barron

----- Original Message -----

From: Alex Barron
Sent: 07/07/2011 09:41 PM EDT
To: Michael Goo
Cc: Shannon Kenny
Subject: How do you feel about a table like this for the briefing packet?

(b)(5) (DPP)



EPA-82

Alex Barron/DC/USEPA/US

07/08/2011 11:01 AM

To Michael Goo

cc Al McGartland, Shannon Kenny

bcc

Subject Re: SCC

Robin - Here is the memo (currently addressed to MG from me) and the table. (b) (5) (DPP)

[REDACTED]

WIF

Ex (b)(5) DPP



WIF

Ex (b)(5) DPP

SCC 4 to 15 percent table.pptx SCC Background Memo for MG.docx

Michael Goo

this is Robin Michael wants to send the...

07/08/2011 10:29:27 AM

From: Michael Goo/DC/USEPA/US
To: Alex Barron/DC/USEPA/US@EPA
Date: 07/08/2011 10:29 AM
Subject: SCC

this is Robin

Michael wants to send the SCC memo to LPJ within the hour

(b) (5) (DPP)

let me know what I can do to help, thanks

EPA-83

Michael Goo/DC/USEPA/US

07/09/2011 05:59 AM

To Barry Elman

cc "Kenny Shannon", Alex Barron, Paul Balserak

bcc

Subject Re: Email exchange on State equivalency

Thanks Barry. (b) (5) (DPP)

From: Barry Elman

Sent: 07/08/2011 11:47 PM EDT

To: Michael Goo

Cc: "Kenny Shannon" <Shannon.Kenny@mail.house.gov>; Alex Barron; Paul Balserak

Subject: Email exchange on State equivalency

Michael: FYI. (b) (5) (DPP)

See below, if you wish, for more details.

Barry

-----Forwarded by Barry Elman/DC/USEPA/US on 07/08/2011 11:18PM -----

To: Shannon Kenny/DC/USEPA/US@EPA

From: Barry Elman/DC/USEPA/US

Date: 07/08/2011 05:38PM

Cc: Alex Barron/DC/USEPA/US@EPA, Paul Balserak/DC/USEPA/US@EPA

Subject: Fw: State equivalency -- Re: EGU NSPS draft presentation for administrator

(b) (5) (DPP)

----- Forwarded by Barry Elman/DC/USEPA/US on 07/08/2011 05:36 PM -----

From: Howard Hoffman/DC/USEPA/US

To: Barry Elman/DC/USEPA/US@EPA

Cc: Joel Beauvais/DC/USEPA/US@EPA

Date: 07/08/2011 04:59 PM

Subject: Re: State equivalency -- Re: EGU NSPS draft presentation for administrator

(b) (5) (DPP), (b) (5) (ACP)

Howard J. Hoffman EPA-OGC-ARLO

(202) 564-5582 (v); -5603 (fax); (240) 401-9721 (cell)
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Barry Elman---07/08/2011 02:08:25 PM---(b) (5) (ACP), (b) (5) (DPP)

From: Barry Elman/DC/USEPA/US
To: Joel Beauvais/DC/USEPA/US@EPA
Cc: Peter Tsirigotis/RTP/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA, Elliott Zenick/DC/USEPA/US@EPA, Howard Hoffman/DC/USEPA/US@EPA, Jim Ketcham-Colwill/DC/USEPA/US@EPA, Joseph Goffman/DC/USEPA/US@EPA, Kevin Culligan/DC/USEPA/US@EPA, Lorie Schmidt/DC/USEPA/US@EPA, Michael Goo/DC/USEPA/US@EPA, Patricia Embrey/DC/USEPA/US@EPA, Scott Jordan/DC/USEPA/US@EPA, Shannon Kenny/DC/USEPA/US@EPA, "Peter Tsirigotis" <tsirigotis.peter@epa.gov>
Date: 07/08/2011 02:08 PM
Subject: Re: State equivalency -- Re: EGU NSPS draft presentation for administrator

(b) (5) (DPP), (b) (5) (ACP)

Joel Beauvais---07/08/2011 10:22:26 AM---(b)(5) (DPP)

From: Joel Beauvais/DC/USEPA/US
To: Peter Tsirigotis/RTP/USEPA/US@EPA
Cc: Alex Barron/DC/USEPA/US@EPA, Barry Elman/DC/USEPA/US@EPA, Elliott Zenick/DC/USEPA/US@EPA, Howard Hoffman/DC/USEPA/US@EPA, Jim Ketcham-Colwill/DC/USEPA/US@EPA, Joseph Goffman/DC/USEPA/US@EPA, Kevin Culligan/DC/USEPA/US@EPA, Lorie Schmidt/DC/USEPA/US@EPA, Michael Goo/DC/USEPA/US@EPA, Patricia Embrey/DC/USEPA/US@EPA, Scott Jordan/DC/USEPA/US@EPA, Shannon Kenny/DC/USEPA/US@EPA, "Peter Tsirigotis" <tsirigotis.peter@epa.gov>
Date: 07/08/2011 10:22 AM
Subject: Re: State equivalency -- Re: EGU NSPS draft presentation for administrator

(b)(5) (DPP)

Peter Tsirigotis---07/08/2011 10:18:29 AM---(b) (5) (DPP), (b) (5) (ACP)

From: Peter Tsirigotis/RTP/USEPA/US

To: Joel Beauvais/DC/USEPA/US@EPA
Cc: Alex Barron/DC/USEPA/US@EPA, Barry Elman/DC/USEPA/US@EPA, Elliott Zenick/DC/USEPA/US@EPA, Howard Hoffman/DC/USEPA/US@EPA, Jim Ketcham-Colwill/DC/USEPA/US@EPA, Joseph Goffman/DC/USEPA/US@EPA, Kevin Culligan/DC/USEPA/US@EPA, Lorie Schmidt/DC/USEPA/US@EPA, Michael Goo/DC/USEPA/US@EPA, Patricia Embrey/DC/USEPA/US@EPA, Scott Jordan/DC/USEPA/US@EPA, Shannon Kenny/DC/USEPA/US@EPA, "Peter Tsirigotis" <tsirigotis.peter@epa.gov>
Date: 07/08/2011 10:18 AM
Subject: Re: State equivalency -- Re: EGU NSPS draft presentation for administrator

(b) (5) (DPP), (b) (5) (ACP)

-----Joel Beauvais/DC/USEPA/US wrote: -----

To: Howard Hoffman/DC/USEPA/US@EPA
From: Joel Beauvais/DC/USEPA/US
Date: 07/08/2011 10:01AM
Cc: Peter Tsirigotis/RTP/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA, Jim Ketcham-Colwill/DC/USEPA/US@EPA, Joseph Goffman/DC/USEPA/US@EPA, Kevin Culligan/DC/USEPA/US@EPA, Michael Goo/DC/USEPA/US@EPA, "Peter Tsirigotis" <tsirigotis.peter@epa.gov>, Elliott Zenick/DC/USEPA/US@EPA, Lorie Schmidt/DC/USEPA/US@EPA, Scott Jordan/DC/USEPA/US@EPA, Patricia Embrey/DC/USEPA/US@EPA, Barry Elman/DC/USEPA/US@EPA, Shannon Kenny/DC/USEPA/US@EPA
Subject: Re: State equivalency -- Re: EGU NSPS draft presentation for administrator

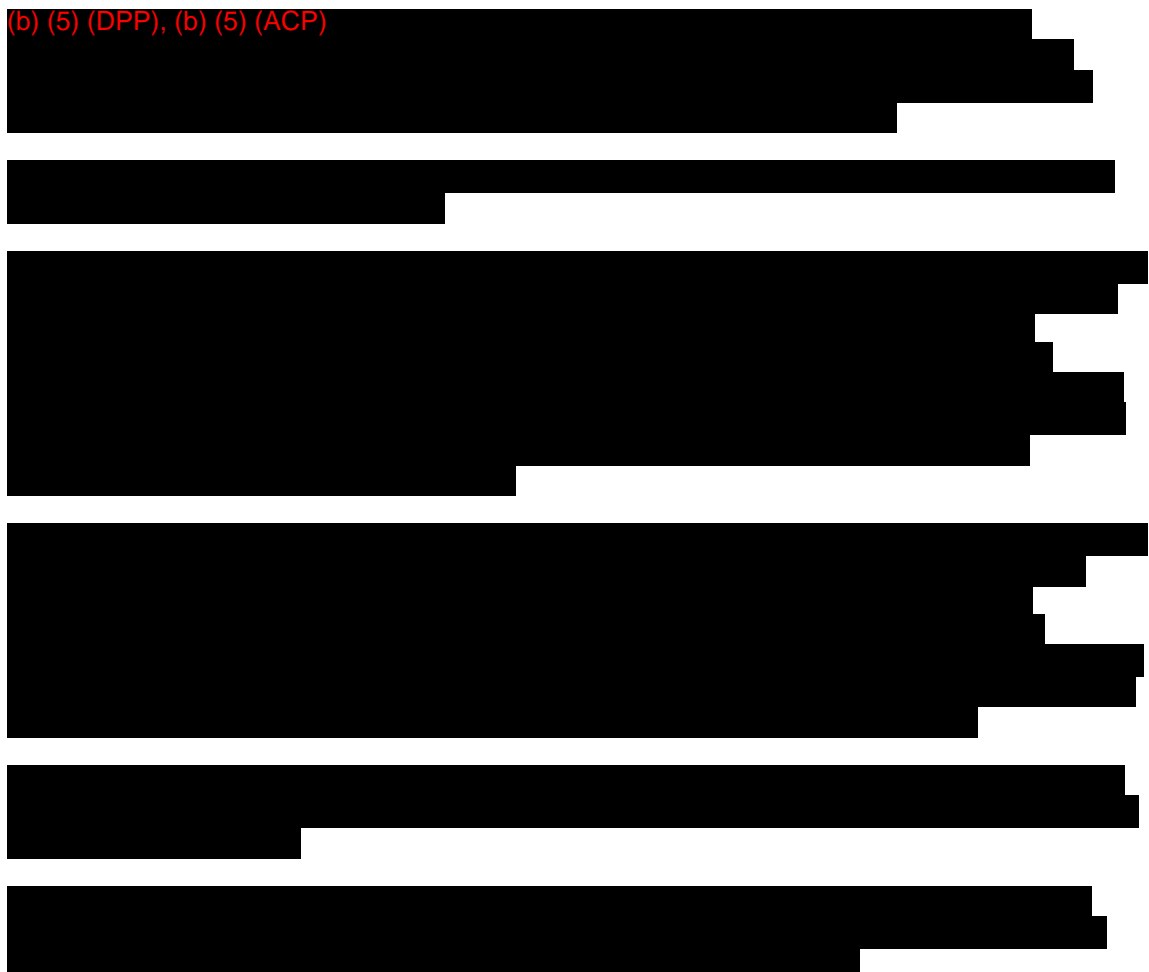
Good observations, Howard. I would add the following one.

(b) (5) (DPP), (b) (5) (ACP)

Howard Hoffman--07/08/2011 09:23:04 (b) (5) (DPP), (b) (5) (ACP)

From: Howard Hoffman/DC/USEPA/US
To: Peter Tsirigotis/RTP/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA, Jim Ketcham-Colwill/DC/USEPA/US@EPA, Joel Beauvais/DC/USEPA/US@EPA, Joseph Goffman/DC/USEPA/US@EPA, Kevin Culligan/DC/USEPA/US@EPA, Michael Goo/DC/USEPA/US@EPA, "Peter Tsirigotis" <tsirigotis.peter@epa.gov>, Elliott Zenick/DC/USEPA/US@EPA, Lorie Schmidt/DC/USEPA/US@EPA, Scott Jordan/DC/USEPA/US@EPA, Patricia Embrey/DC/USEPA/US@EPA, Barry Elman/DC/USEPA/US@EPA, Shannon Kenny/DC/USEPA/US@EPA
Date: 07/08/2011 09:23 AM
Subject: State equivalency -- Re: EGU NSPS draft presentation for administrator

(b) (5) (DPP), (b) (5) (ACP)



Howard J. Hoffman EPA-OGC-ARLO
(202) 564-5582 (v); -5603 (fax); (240) 401-9721 (cell)
The contents of this e-mail and any attachments to it
may be attorney-client or deliberative-process privileged.

Gina McCarthy---07/08/2011 08:33:22 AM---I took a shot at revisions to slide 5. See what you think. From: Peter Tsirigotis/RTP/USEPA/US

From: Gina McCarthy/DC/USEPA/US
To: Peter Tsirigotis/RTP/USEPA/US@EPA

Cc: Alex Barron/DC/USEPA/US@EPA, Howard Hoffman/DC/USEPA/US@EPA, Jim Ketcham-Colwill/DC/USEPA/US@EPA, Joel Beauvais/DC/USEPA/US@EPA, Joseph Goffman/DC/USEPA/US@EPA, Kevin Culligan/DC/USEPA/US@EPA, Michael Goo/DC/USEPA/US@EPA, Steve Page/RTP/USEPA/US@EPA, "Peter Tsirigotis" <tsirigotis.peter@epa.gov>
Date: 07/08/2011 08:33 AM
Subject: Re: EGU NSPS draft presentation for administrator

I took a shot at revisions to slide 5. See what you think.

[attachment "EGU NSPS administrator presentation 070711gm.pptx" deleted by Joel Beauvais/DC/USEPA/US]

Peter Tsirigotis---07/07/2011 11:11:21 PM---From: Peter Tsirigotis/RTP/USEPA/US To: Gina McCarthy/DC/USEPA/US@EPA, Michael Goo/DC/USEPA/US@EPA, Joseph Goffman/DC/USEPA/US@

From: Peter Tsirigotis/RTP/USEPA/US
To: Gina McCarthy/DC/USEPA/US@EPA, Michael Goo/DC/USEPA/US@EPA, Joseph Goffman/DC/USEPA/US@EPA, Joel Beauvais/DC/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA, Steve Page/RTP/USEPA/US@EPA, Jim Ketcham-Colwill/DC/USEPA/US@EPA, Howard Hoffman/DC/USEPA/US@EPA
Cc: Kevin Culligan/DC/USEPA/US@EPA, "Peter Tsirigotis" <tsirigotis.peter@epa.gov>
Date: 07/07/2011 11:11 PM
Subject: EGU NSPS draft presentation for administrator

Attached is a first draft of the Administrator briefing that attempts to address all of the points raised at tonight's meeting. As we get comments tomorrow morning, we will put together the final briefing.

PS. Alex is working on several slides that will add some context to the briefing

[attachment "EGU NSPS administrator presentation 070711.pptx" deleted by Joel Beauvais/DC/USEPA/US]

EPA-84

Michael Goo/DC/USEPA/US
07/11/2011 09:12 AM

To Bob Perciasepe, Gina McCarthy, Bicky Corman, Diane
Thompson, Joseph Goffman, Alex Barron, Peter Tsirigotis
cc
bcc
Subject Re: GHG Haiku

Thank you Bob!
Bob Perciasepe

----- Original Message -----

From: Bob Perciasepe
Sent: 07/11/2011 07:14 AM EDT
To: Michael Goo; Gina McCarthy; Bicky Corman; Diane Thompson; Joseph
Goffman; Alex Barron; Peter Tsirigotis
Subject: GHG Haiku

No this isn't about the model. Several have asked about the Haiku Poem so here is is:

Carbon Pollution

Must be limited
today

Go on EPA

While seasons are often the focus of Haiku, one can assume carbon pollution could change all of that.
The basic construction of Haiku is - 5, 7, 5 units or in English,, syllables

Bob Perciasepe
Deputy Administrator

(o) +1 202 564 4711
(b) (6)

EPA-85

Michael Goo/DC/USEPA/US

07/11/2011 11:08 AM

To "Alex Barron", "Kenny, Shannon"

cc

bcc

Subject Fw: Social Cost of Carbon

Bob Sussman

----- Original Message -----

From: Bob Sussman

Sent: 07/10/2011 04:46 PM EDT

To: Michael Goo

Cc: Bob Perciasepe; Gina McCarthy; Richard Windsor; Scott Fulton

Subject: Re: Social Cost of Carbon

(b) (5) (DPP)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Michael Goo

[I've discussed this with some, but not al...](#)

07/08/2011 12:06:06 PM

From: Michael Goo/DC/USEPA/US

To: Richard Windsor/DC/USEPA/US@EPA, Bob Perciasepe/DC/USEPA/US@EPA, Bob Sussman/DC/USEPA/US@EPA, Gina McCarthy/DC/USEPA/US@EPA, Scott Fulton/DC/USEPA/US@EPA

Date: 07/08/2011 12:06 PM

Subject: Social Cost of Carbon

I've discussed this with some, but not all, of you. I want to share this memo from Alex Barron on the social cost of carbon to use as part of our thinking on relevant rules.



SCC 4 to 15 percent table.pptx



SCC Background Memo for MG.docx

WIF

Ex (b)(5) DPP

WIF

Ex (b)(5) DPP

EPA-86

Alex Barron/DC/USEPA/US

07/14/2011 08:28 AM

To Michael Goo, Shannon Kenny, Al McGartland

cc Ann Wolverton, Alex Marten

bcc

Subject Administration grossly underestimated carbon cost, says study

ECONOMICS: Administration grossly underestimated carbon cost, says study (07/14/2011)

Tiffany Stecker, E&E reporter

The social cost of carbon, the economic value of avoiding the negative consequences of climate change, could be close to \$900 per ton of CO₂ in a worst-case scenario -- nearly 45 times the \$21 per ton established two years ago, according to a study by the group Economics for Equity and the Environment (E3).

The E3 study was launched the same day as a policy brief from the World Resources Institute stating that the social cost of carbon could be causing more confusion than clarification in understanding the effects of low-carbon policies.

The studies are the most recent fodder in the search to estimate the unknown and to put a price on possibility.

In 2009, an interagency working group made up of several federal agencies was created to quantify the cost of putting greenhouse gases into the atmosphere. This cost would be applied in the cost-benefit analyses performed by the Office of Management and Budget (OMB) to assess the impacts of policy measures.

A slightly odd phrase

To evaluate the social cost of carbon, economists undertake a comprehensive review of future scenarios, current science and value judgments. They emerge with a dollar amount, ranging from about \$5 to \$3,000, depending on who does the math.

In the case of the Obama administration, that amount was a range between \$5 and \$65 per ton, with a central value of \$21 per ton.

"You feed a bunch of assumptions into a machine, and out goes a number," said Michael Greenstone, an economist at the Massachusetts Institute of Technology who helped establish that value for the interagency working group. "Some go up, and some go down."

That number is the assigned value of the benefits gained from avoiding unwanted environmental

degradation.

"The 'social cost of carbon' is a slightly odd phrase," said Frank Ackerman, director of the Climate Economics Group at the Stockholm Environment Institute, who co-authored the E3 report with Elizabeth Stanton. "It manages impacts on agriculture, loss of seafront property, health effects, changes in forests, changes in tropical storms. It's meant to represent economic damages."

The E3 report used four scenarios accounting for different future temperatures, the probability of a experiencing hotter-than-expected weather, and variable discount rates -- a percentage representing how serious conditions will be in the distant future. Low discount rates put more weight on the future, and high discount rates less.

Based on the four scenarios, the social cost of carbon values for 2010 ranged from \$28 per ton to \$893 per ton. In the 2050 model, values ranged from \$64 to \$1,550.

'Unrealistically optimistic estimates'

The interagency group adopted a social carbon cost that painted a relatively benign picture of climate change, said Ackerman.

"The very low numbers are based on outdated and unrealistically optimistic estimates on what's going to happen," he said. The justification for the \$21-per-ton carbon cost was based on studies up to 15 years old, when a strong economy and a rudimentary understanding of climate change offered a relatively confident outlook, said Ackerman.

"The balance has shifted very heavily in a different direction," he added.

Greenstone defended the working group's social carbon cost, saying that the value was established with an eye to well-established scientific findings.

"My own view is that the \$21 per ton was [applied] given the current state of science," he said. "One area that we don't understand very well is the frequency and nature of potential catastrophes."

"The science certainly raises these potential outcomes, but we don't understand how likely they are and don't understand what their outcome will be," he added.

OMB declined to comment on its use of the interagency working group's findings for its cost-benefit analyses.

An imperfect process

While calculating the social cost of carbon can be a valuable tool, the uncertainty around climate change could slow down the policymaking process rather than help it, said Ruth Greenspan Bell, a senior fellow at the World Resources Institute. Bell co-authored the policy brief "More than

Meets the Eye: The Social Cost of Carbon in U.S. Climate Policy, in Plain English" with Dianne Callan of the Environmental Law Institute.

"The point is it's a very, very imperfect process," she said. Decisionmakers "should understand that they should not take it as gospel ... the assumptions are much more important than the final numbers."

"Look at the climate science," she advised policymakers. "Don't put an artificial ceiling or lid based on the social cost of carbon."

EPA-88

Alex Barron/DC/USEPA/US
07/18/2011 06:37 PM

To "Paul Balserak", "Barry Elman", "Shannon Kenny", "DavidA
Evans", "Alex Marten"
cc Michael Goo
bcc
Subject Fw: permitted coal options

Kevin Culligan

----- Original Message -----

From: Kevin Culligan
Sent: 07/18/2011 06:19 PM EDT
To: Peter Tsirigotis
Cc: Robertj Wayland; Howard Hoffman; Alex Barron; Christian Fellner; Nick
Hutson; Scott Jordan
Subject: permitted coal options

This writeup requires additional input from OGC and will be ammended to reflect input from them and OP.



Permitted Coal.docx

WIF

Ex (b)(5) DPP, ACP

EPA-89

Alex Barron/DC/USEPA/US

07/18/2011 07:00 PM

To Michael Goo, "Shannon Kenny"

cc

bcc

Subject Fw: Palm Oil NODA for new RFS2 pathway

Fyi

Heather Klemick

----- Original Message -----

From: Heather Klemick

Sent: 07/18/2011 06:58 PM EDT


To: Alex Barron

Cc: Al McGartland; Peter Nagelhout

Subject: Palm Oil NODA for new RFS2 pathway

Hi Alex,

(b) (5) (DPP)



OTAQ is now giving us until COB Friday to submit comments, with signature planned for early next week. We'll let you know when we have a better handle on the supporting analysis.

Thanks,
Heather

EPA-90

Michael Goo/DC/USEPA/US
07/18/2011 09:13 PM

To "Al McGartland", "Kenny, Shannon", "Alex Barron"
cc
bcc
Subject Fw: GHG Intensity Language - KXL

Cynthia Giles-AA

----- Original Message -----

From: Cynthia Giles-AA
Sent: 07/18/2011 06:34 PM EDT
To: Michael Goo; Janet McCabe
Cc: Susan Bromm
Subject: GHG Intensity Language - KXL

(b) (5) (DPP)



Thanks -

Cynthia



Comment Matrix and SDEIS - GHG intensity.docx

WIF
Ex (b)(5) DPP

EPA-91

Alex Barron/DC/USEPA/US

07/20/2011 05:45 PM

To Michael Goo

cc Shannon Kenny

bcc

Subject Fw: KXL and lifecycle emissions

I am happy to send this to OECA if you like...

----- Forwarded by Alex Barron/DC/USEPA/US on 07/20/2011 05:42 PM -----

From: Ann Wolverton/DC/USEPA/US
To: "Alex Barron" <Barron.Alex@epamail.epa.gov>
Cc: "Peter Nagelhout" <Nagelhout.Peter@epamail.epa.gov>, "Al McGartland" <McGartland.Al@epamail.epa.gov>
Date: 07/20/2011 05:33 PM
Subject: XXL text

Hi Alex,

(b)(5) (DPP) [Redacted]

Ann

(b) (5) (DPP) [Redacted]

[Redacted]

[Redacted]

[Redacted]

Sent from BlackBerry. Please excuse any typos.

EPA-92

Alex Barron/DC/USEPA/US

07/20/2011 07:02 PM

To Michael Goo, Shannon Kenny

cc Paul Balserak, DavidA Evans, Alex Marten, Barry Elman
bcc

Subject Fw: Materials for Status/Update on the EGU GHG NSPS tomorrow

----- Forwarded by Alex Barron/DC/USEPA/US on 07/20/2011 07:01 PM -----

From: Amy Vasu/RTP/USEPA/US
To: Alex Barron/DC/USEPA/US@EPA, Christian Fellner/RTP/USEPA/US@EPA, Erich Eschmann/DC/USEPA/US@EPA, Howard Hoffman/DC/USEPA/US@EPA, Jeb Stenhouse/DC/USEPA/US@EPA, Jim Ketcham-Colwill/DC/USEPA/US@EPA, Joel Beauvais/DC/USEPA/US@EPA, Joseph Goffman/DC/USEPA/US@EPA, Lorie Schmidt/DC/USEPA/US@EPA, Nick Hutson/RTP/USEPA/US@EPA, Patricia Embrey/DC/USEPA/US@EPA, Richard Wayland/RTP/USEPA/US@EPA, Shannon Kenny/DC/USEPA/US@EPA, Steve Page/RTP/USEPA/US@EPA, Amit Srivastava/DC/USEPA/US@EPA, Cindy Huang/DC/USEPA/US@EPA, Don Zinger/DC/USEPA/US@EPA, Janet Means-Thomas/DC/USEPA/US@EPA, Julia Miller/DC/USEPA/US@EPA, Robin Kime/DC/USEPA/US@EPA
Cc: Peter Tsirigotis/RTP/USEPA/US@EPA, Kevin Culligan/DC/USEPA/US@EPA, Lala Alston/RTP/USEPA/US@EPA, Tanya Johnson/RTP/USEPA/US@EPA
Date: 07/20/2011 06:54 PM
Subject: Materials for Status/Update on the EGU GHG NSPS tomorrow

On behalf of Peter Tsirigotis, I am providing the attached materials, which will be used for the Status/Update on the EGU GHG NSPS tomorrow.



EGU GHG NSPS prop issues 7_21_11.docx

WIF
Ex (b)(5) DPP

~~~~~  
Amy B. Vasu  
Sector Policies and Programs Division  
Office of Air Quality Planning & Standards  
U.S. Environmental Protection Agency  
Research Triangle Park, NC 27711  
919.541.0107  
vasu.amy@epa.gov

EPA-93

Alex Barron/DC/USEPA/US

07/21/2011 12:31 PM

To Michael Goo

cc Shannon Kenny

bcc

Subject Tar sands life cycle emissions

(b) (5) (DPP)



A

----- Forwarded by Alex Barron/DC/USEPA/US on 07/21/2011 12:23 PM -----

From: Ann Wolverton/DC/USEPA/US  
To: "Alex Barron" <Barron.Alex@epamail.epa.gov>  
Cc: "Peter Nagelhout" <Naghout.Peter@epamail.epa.gov>, "Al McGartland" <McGartland.Al@epamail.epa.gov>  
Date: 07/20/2011 05:33 PM  
Subject: XXL text

---

(b) (5) (DPP)





EPA-94

Alex Barron/DC/USEPA/US

07/21/2011 06:35 PM

To Cheryl Mackay, Laura Vaught, Lorie Schmidt

cc Al McGartland, Michael Goo

bcc

Subject Re: EPA Views on the TRAIN ACT

Here it is with my final tweaks (including Jim D's helpful edits) in track changes. In general, I think it is in pretty solid shape. (b) (5) (DPP)

Alex



WIF

Ex (b)(5) DPP

EPA Views 07-21-11 TRAIN ab.docx

Cheryl Mackay

Alex, one more thing-- can you please l...

07/21/2011 03:01:28 PM

From: Cheryl Mackay/DC/USEPA/US  
To: Cheryl Mackay/DC/USEPA/US@EPA  
Cc: Alex Barron/DC/USEPA/US@EPA, Laura Vaught/DC/USEPA/US@EPA, Lorie Schmidt/DC/USEPA/US@EPA  
Date: 07/21/2011 03:01 PM  
Subject: Re: EPA Views 07-21-11 otaq

Alex, one more thing-- can you please look at the second paragraph (b) (5) (DPP)

---

Cheryl A. Mackay  
U.S. EPA  
Office of Congressional Relations  
tel: (202) 564-2023  
fax: (202) 501-1550

Cheryl Mackay

Laura and Alex, Here is the latest draft...

07/21/2011 02:54:06 PM

From: Cheryl Mackay/DC/USEPA/US  
To: Laura Vaught/DC/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA, Jackie Krieger/DC/USEPA/US@EPA  
Cc: Lorie Schmidt/DC/USEPA/US@EPA  
Date: 07/21/2011 02:54 PM  
Subject: EPA Views 07-21-11 otaq

Laura and Alex, Here is the latest draft, incorporating OTAQ's piece on DERA, if you are able to make your edits to that. Jackie, there is one place where we're asking for OAP to check something. Can you please look at that? Thanks.

---

Cheryl A. Mackay  
U.S. EPA  
Office of Congressional Relations  
tel: (202) 564-2023  
fax: (202) 501-1550

[attachment "EPA Views 07-21-11 otaq.docx" deleted by Cheryl Mackay/DC/USEPA/US]

EPA-96

Alex Barron/DC/USEPA/US

07/22/2011 05:12 PM

To Michael Goo

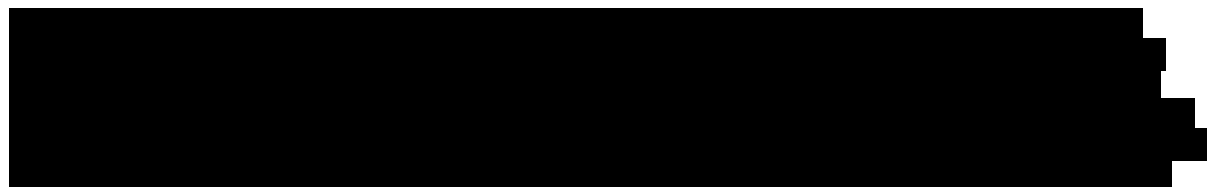
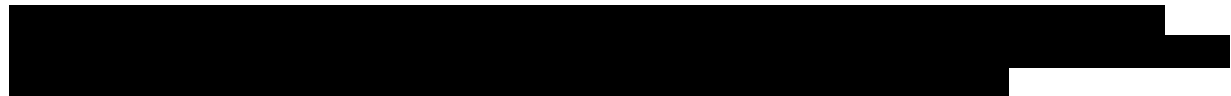
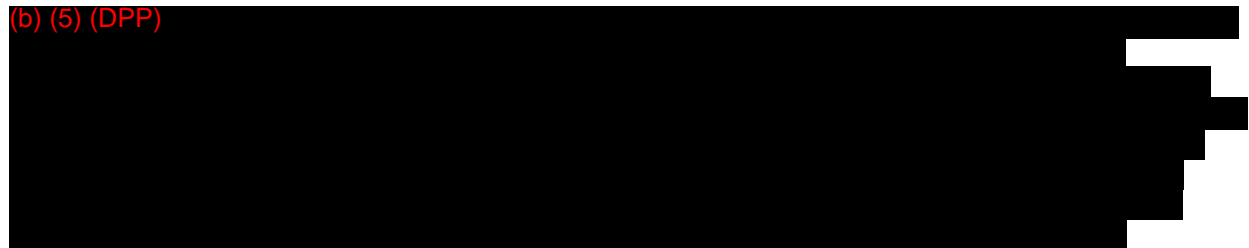
cc Shannon Kenny, Glenn Farber, Peter Nagelhout, Al  
McGartland

bcc

Subject Palm oil RFS pathways

Michael - Here is my best attempt to summarize the state of play according to my understanding.

(b) (5) (DPP)



(b) (5) (DPP)

Let me know if you need further detail.

Alex

P.S. Thanks to Glenn and Peter for their work on this.

----- Forwarded by Alex Barron/DC/USEPA/US on 07/22/2011 01:32 PM -----

From: Peter Nagelhout/DC/USEPA/US  
To: Alex Barron/DC/USEPA/US@EPA  
Cc: Al McGartland/DC/USEPA/US@EPA, Heather Klemick/DC/USEPA/US@EPA, Bicky Corman/DC/USEPA/US@EPA  
Date: 07/22/2011 01:21 PM  
Subject: preliminary comments on palm oil pathways

---

Hello Alex,

Here's a preliminary take on the palm oil pathway analysis and associated policy issues. We met with ORD this morning to compare notes and we have a workgroup meeting this afternoon to hear more from OTAQ, so this assessment could change as additional information becomes available.

(b) (5) (DPP)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(b) (5) (DPP)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

We have a 3:00 meeting with the workgroup, so additional information may become available then. Please let us know if you have any questions about this note; we'll update you with anything significant we learn at the 3:00 meeting.

Thanks,

Heather and Peter

EPA-97

Alex Barron/DC/USEPA/US

07/22/2011 06:18 PM

To Michael Goo

cc Glenn Farber, Peter Nagelhout, Al McGartland, Shannon  
Kenny

bcc

Subject Re: Palm oil RFS pathways

Arg. I can't believe I left out heather. It's been a long week. Apologies.

Glenn Farber

Alex wouldn't have known this, but Hea...

07/22/2011 05:24:23 PM

From: Glenn Farber/DC/USEPA/US  
To: Alex Barron/DC/USEPA/US@EPA  
Cc: Al McGartland/DC/USEPA/US@EPA, Michael Goo/DC/USEPA/US@EPA, Peter  
Naghelout/DC/USEPA/US@EPA, Shannon Kenny/DC/USEPA/US@EPA  
Date: 07/22/2011 05:24 PM  
Subject: Re: Palm oil RFS pathways

Alex wouldn't have known this, but Heather Klemick of NCEE has put in a lot of work on this

(b)

(5)

-----  
Glenn Farber  
Policy and Regulatory Analysis Division  
Office of Policy  
Office of the Administrator  
US Environmental Protection Agency  
(202) 566-0343

Alex Barron

Michael - Here is my best attempt to su...

07/22/2011 05:12:32 PM

From: Alex Barron/DC/USEPA/US  
To: Michael Goo/DC/USEPA/US@EPA  
Cc: Shannon Kenny/DC/USEPA/US@EPA, Glenn Farber/DC/USEPA/US@EPA, Peter  
Naghelout/DC/USEPA/US@EPA, Al McGartland/DC/USEPA/US@EPA  
Date: 07/22/2011 05:12 PM  
Subject: Palm oil RFS pathways

Michael - Here is my best attempt to summarize the state of play according to my understanding.

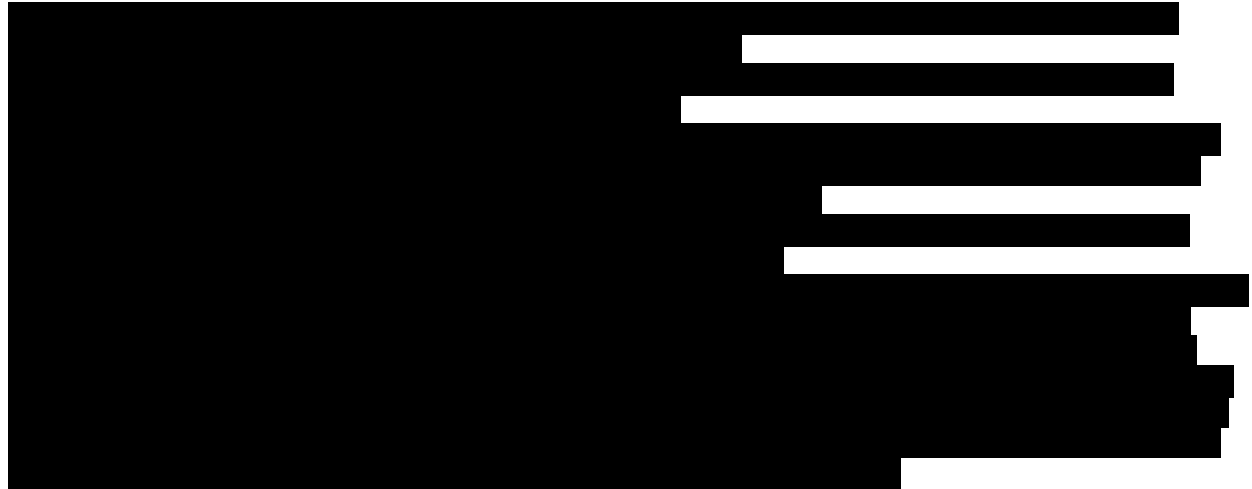

(b) (5) (DPP)

[REDACTED]

[REDACTED]

[REDACTED]

(b) (5) (DPP)



Let me know if you need further detail.

Alex

P.S. Thanks to Glenn and Peter for their work on this.

----- Forwarded by Alex Barron/DC/USEPA/US on 07/22/2011 01:32 PM -----

From: Peter Nagelhout/DC/USEPA/US  
To: Alex Barron/DC/USEPA/US@EPA  
Cc: Al McGartland/DC/USEPA/US@EPA, Heather Klemick/DC/USEPA/US@EPA, Bicky Corman/DC/USEPA/US@EPA  
Date: 07/22/2011 01:21 PM  
Subject: preliminary comments on palm oil pathways

---

Hello Alex,

Here's a preliminary take on the palm oil pathway analysis and associated policy issues. We met with ORD this morning to compare notes and we have a workgroup meeting this afternoon to hear more from OTAQ, so this assessment could change as additional information becomes available.

(b) (5) (DPP)




(b) (5) (DPP)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(b) (5) (DPP)



We have a 3:00 meeting with the workgroup, so additional information may become available then. Please let us know if you have any questions about this note; we'll update you with anything significant we learn at the 3:00 meeting.

Thanks,

Heather and Peter

EPA-98

Alex Barron/DC/USEPA/US

07/25/2011 01:59 PM

To Michael Goo, Bicky Corman, Shannon Kenny

cc Al McGartland, Rob Brenner, Lorie Schmidt, Joseph Goffman, Laura Vaught, Arvin Ganesan

bcc

Subject Fw: NPR ozone story

Greenstone not at his most helpful.

<http://www.npr.org/2011/07/24/138653373/epa-seeks-to-tighten-ozone-standards>

July 24, 2011 - LINDA WERTHEIMER, host: This is WEEKEND EDITION from NPR News. I'm Linda Wertheimer. The heat wave gripping much of the country has brought with it unhealthy levels of smog. One of the main components of smog is ozone, and any day now the Environmental Protection Agency is expected to tighten the standards for how much ozone is safe to breathe. The agency decision is sitting at the White House waiting for approval. NPR's Elizabeth Shogren reports that the level of ozone scientists say is safe does not set well with industry.

ELIZABETH SHOGREN: The EPA is redoing the ozone standard set under President Bush. That's because the Bush administration's EPA ignored the advice of its own panel of outside scientific advisors. It set the standard for a healthy level of ozone in air at 75 parts per billion. The Obama EPA proposed setting it at between 60 and 70 parts per billion. That's what the scientists recommended. If the agency goes ahead that will mean many communities around the country would soon be having more orange and red air pollution alert days. New York University Professor of Environmental Medicine George Thurston says scientific studies make it clear: the air isn't as healthy as the current federal standard suggests it is.

GEORGE THURSTON: There are areas of the country that thought their air was safe, but now we can see that there are adverse health effects, significant adverse health effects - hospital admissions, increased risk of death.

SHOGREN: Super-hot days, like the ones we've been having, are prime time for bad air. That's because when hydrocarbons, like puddles of gasoline or oil, evaporate into the air they help create ozone. The hotter it is, the more they evaporate. The sun's ultraviolet rays cook these vapors and the exhausts from power plants, vehicles and factories to make smog. When people breathe in ozone, it can irritate and injure their lungs, almost like a sunburn. Thurston says lots of scientific studies, including his own, show that ozone triggers attacks in children with asthma.

THURSTON: Basically the airways start to close up and they feel like their breathing through a tiny straw.

SHOGREN: People with other lung ailments and young children are also especially vulnerable. Healthy adults who work or exercise outdoors are at risk too. When the air is bad, it's best for all of these sensitive groups to go outside in the mornings, when ozone levels are lowest.

THURSTON: Really, the air ought to be safe enough for people to be able to go outside any time and we shouldn't have to hide inside our homes on high pollution days. And that's really what these standards is all about; trying to make it so that our air is safe to

breathe.

SHOGREN: But it's not going to be easy for the White House to give the EPA the go-ahead on a tougher standard. Industry groups are heaping on the pressure not to act. The Business Roundtable, a group of CEOs of top companies, sent a letter to the White House warning that strengthening the ozone standard could be the single most expensive regulation ever. But the **Clean Air Act directs the EPA to ignore economic costs and make its decision based only on health implications.** MIT economist Michael Greenstone was in the White House at the beginning of the Obama administration. He says that isn't easy to do, especially when the economy is weak.

MICHAEL GREENSTONE: In practice, I think it's very **difficult for any administration to be completely blind to economic costs.**

SHOGREN: And **Greenstone says the White House shouldn't ignore economics.**

For example, tougher standards could require companies to install expensive pollution controls. Then they'd have to charge customers more for electricity and some products.

GREENSTONE: When families have less money available that takes on the kinds of foods they can purchase, the kinds of medicine, the kind of health care they can seek. And in its own way those costs are a very important feature of public health, just as cleaner air is.

SHOGREN: So far, neither the White House nor the EPA is showing its cards. Elizabeth Shogren. NPR News. Washington.

EPA-99

Alex Barron/DC/USEPA/US

07/27/2011 07:44 AM

To Michael Goo, "Robin Kime"

cc "Shannon Kenny"

bcc

Subject Fw: draft OP comments on palm oil pathway determination

Robin - we would like michael to send these comments over to otaq. They were due yesterday, so an early send would be good.

A

Peter Nagelhout

----- Original Message -----

**From:** Peter Nagelhout

**Sent:** 07/26/2011 07:36 PM EDT

**To:** Alex Barron; Shannon Kenny

**Cc:** mcgartland.al@epa.gov; Heather Klemick; Glenn Farber

**Subject:** draft OP comments on palm oil pathway determination

(b) (5) (DPP)

We hope this is helpful; please let us know if you have any questions or if there is anything else we can provide.

Thanks,  
Heather and Peter



OP NCEE comments on palm oil NODA July26 v4.docx

WIF  
Ex (b)(5) DPP

EPA-100

Alex Barron/DC/USEPA/US

07/27/2011 01:00 PM

To Benjamin Hengst

cc Michael Goo, Shannon Kenny, Glenn Farber, Peter Nagelhout, Heather Klemick

bcc

Subject OP comments on palm oil pathway determination

Ben - Michael Goo asked me to pass along our comments on the palm oil pathway determination, based on our review of the information so far. I trust that you will make sure it gets to the right people. Apologies for the delay in getting you these comments.

Here are a few bits of context, for OP's perspective:

(b) (5) (DPP) [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

More detailed comments can be found in the attachment. My understanding is that OTAQ is planning on working through our comments and those of others before proceeding further. If that is not the case, please let me know ASAP.

thanks,  
Alex

Alex Barron, Ph.D.  
Senior Advisor  
Office of Policy  
U.S. Environmental Protection Agency  
202-564-3304



OP NCEE comments on palm oil NODA July26 v4.docx

WIF  
Ex (b)(5) DPP

EPA-101

Alex Barron/DC/USEPA/US

07/28/2011 09:00 AM

To Michael Goo, "Al McGartland"

cc "Shannon Kenny", "Paul Balserak"

bcc

Subject Fw: for your records, finals on electric power sector

Fyi

Tom Dickerson

----- Original Message -----

**From:** Tom Dickerson

**Sent:** 07/28/2011 08:01 AM EDT

**To:** Laura Vaught; Joel Beauvais; Alex Barron; Lorie Schmidt

**Cc:** Steven Kinberg

**Subject:** for your records, finals on electric power sector

**Here are the power sector letter finals :**



electric power sector~Chairman Upton 07.27.11.pdf



electric power sector~Chairman Whitfield 07.27.11.pdf



electric power sector~Chairman Stearns 07.27.11.pdf

And the enclosures:



electric power sector~enclosure 07.27.11.pdf



BPC reliability report.pdf

Remember, too, that there was one disk with documents.

Tom Dickerson

Office of Congressional and Intergovernmental Relations

U.S. EPA

(202) 564-3638

Laura Vaught

Yep. All good. Can you also send me a...

07/27/2011 04:14:34 PM

From: Laura Vaught/DC/USEPA/US

To: Tom Dickerson/DC/USEPA/US@EPA

Date: 07/27/2011 04:14 PM

Subject: Re: just delivered electric power sector letter, is it okay to send the other now?

Yep. All good. Can you also send me and Joel the final power sector letter just for our files?

And I assume we get all these to minority staff as well?

Thank you!!

Tom Dickerson



----- Original Message -----

**From:** Tom Dickerson

**Sent:** 07/27/2011 04:11 PM EDT

**To:** Laura Vaught

**Subject:** just delivered electric power sector letter, is it okay to send the other now?

Tom Dickerson  
Office of Congressional and Intergovernmental Relations  
U.S. EPA  
(202) 564-3638

EPA-102

Alex Barron/DC/USEPA/US

08/07/2011 12:09 AM

To Michael Goo


cc Shannon Kenny

bcc


Subject Updates

Michael - I just wanted to send you a quick update on a few things since I won't be there to brief you when you get back. I'm going to try to follow your model and actually take a vacation so I will only be checking my BB very intermittently (assuming I get reception). If you need me, it may be best to send a text to my personal cell as I will be keeping an eye on that one. Anyway, in terms of things that I have been working on most:

(b)(5) (DPP)



(b)(5) (DPP)

A large rectangular area of the document is completely redacted with black ink.

Ozone - The draft supplemental RIA is over at OMB. (b)(5) (DPP)

A large rectangular area of the document is completely redacted with black ink.A large rectangular area of the document is completely redacted with black ink.A large rectangular area of the document is completely redacted with black ink.A large rectangular area of the document is completely redacted with black ink.

I hope you had a fantastic week and are feeling rested and ready to rumble. There's lots for you to do!

Alex

P.S. We missed you last week.

EPA-104

Alex Barron/DC/USEPA/US

08/19/2011 02:09 PM

To Michael Goo

cc Shannon Kenny, Paul Balserak, Robin Kime, Al McGartland  
bcc

Subject Reasons to Move Forward With A GHG Standard

Michael - Here are some notes on reasons to move forward with a 111 standard. Shannon suggested the current structure, which I think works well. I don't know if you want to turn this into something by 4pm but I thought I would send it now anyway.

Alex



- Reasons to Move Forward With A GHG Standard \_draft\_arb 8 19 11.docx

WIF

Ex (b)(5) DPP

EPA-105

Alex Barron/DC/USEPA/US

08/21/2011 08:29 PM


To Michael Goo

cc Shannon Kenny, Robin Kime, Al McGartland

bcc

Subject Employment text

Michael - We are closing in on some text with OAR (but still going back and forth). This is the current incarnation which they may show to Gina to guide her conversation about whether or not to include. I wanted to make sure you got a chance to see it as well. Happy to talk during the drive tomorrow about why it looks the way it does. (b) (5) (DPP)

Alex  - qualitative employment ozone distributed (8-21-11) ab round 2.docx

WIF

Ex (b)(5) DPP

EPA-106

Alex Barron/DC/USEPA/US

08/22/2011 03:58 PM

To Michael Goo

cc "Robin Kime"

bcc

Subject Fw: ozone NAAQS RIA qualitative writeup ready for forwarding

Fyi - gina is now reviewing this.

A

Ron Evans

----- Original Message -----

**From:** Ron Evans

**Sent:** 08/22/2011 03:35 PM EDT

**To:** Lydia Wegman

**Cc:** Alex Barron; Ann Ferris; Jim DeMocker; Julia Gamas; Kathy Kaufman; Lydia Wegman; Ron Shadbegian; Tom Walton; Al McGartland

**Subject:** ozone NAAQS RIA qualitative writeup ready for forwarding

Lydia, this version is ready to forward to OAR management. It reflects all the comments Al made this am as well as the conversation you and I had about the timeline issue. I presume you are forwarding from here.



qualitative employment 822pm.doc

Ron

WIF

Ex (b)(5) DPP

EPA-107

Michael Goo/DC/USEPA/US

To "Alex Barron"

08/30/2011 07:58 AM

cc

bcc

Subject Fw: EPA chokes business - Indianapolis Star

I can't remember. Is the 90 billion in any way legitimate as an epa figure?

Sandy Germann

----- Original Message -----

**From:** Sandy Germann

**Sent:** 08/30/2011 07:56 AM EDT

**To:** Michael Goo; Al McGartland

**Cc:** Robin Kime; Alex Barron

**Subject:** EPA chokes business - Indianapolis Star

Oped below was written by Hayden Murray, Professor emeritus at Indiana University in Bloomington, Economic Geology, Clays, and Industrial Minerals

AI, I'm not familiar w/ economic geology as a field of study. Do you know his work?

### **EPA chokes business**

Outlet Full Name: **Indianapolis Star** - Online, The

News Text: One of the most significant reasons for the lack of investor confidence in the economy is the enormous cost of environmental regulation. And the most costly regulation to be issued shortly is EPA's tougher limits on smog-forming ozone. Even though 25 million Americans are looking for full-time work, the pending standard would limit business expansion and impair the ability of companies to create jobs.

That's why some 175 business organizations, including many based in Indiana, have asked EPA Administrator Lisa Jackson not to go forward with the plan to set the ozone standard at 60 to 70 parts per billion.

Many counties already are struggling to meet the current standard of 75 parts per billion, which was set in 2008. Lowering the ozone standard again would push 565 more counties into non-attainment status under the Clean Air Act, the Congressional Research Service said, making them ineligible for federal highway money and certain other government funds. EPA says the standard would cost between \$20 billion and \$90 billion annually. A study by the Manufacturing Alliance predicts as many as 7.3 million jobs could be lost by 2020.

Manufacturers who use large amounts of electricity made from fossil fuels, especially coal, would be the hardest hit. Since our state obtains more than 93 percent of its electricity from coal-fueled power plants, Indiana would be squarely between the crosshairs.

EPA also has either promulgated or plans to issue a half-dozen regulations on air quality that would force the shutdown of as many as 80 coal plants, mainly in the Southeast and Midwest, and greatly increase electricity prices.

Put simply, the Obama administration has consistently sold out America's economic

future in return for political gain with the environmental lobby.

For instance, EPA recently promulgated final regulations curtailing power plant emissions of sulfur and nitrogen oxides in 28 states. The so-called Cross-State Air Pollution Rule takes effect in 2012. The new rule comes only six years after EPA ordered a 70 percent reduction by 2025. Estimated cost of the new rules: \$130 billion by 2015.

In March, EPA proposed new standards for coal plants that would establish a maximum achievable control technology standard for mercury and other hazardous air emissions, requiring utilities to install equipment that is either prohibitively expensive or doesn't yet exist.

The EPA also is considering regulating coal ash as a hazardous waste. That's unnecessary because coal ash contains only trace amounts of toxic metals. Moreover, it is recycled for other uses, such as road construction. If coal ash is designated as hazardous waste, an estimated 316,000 jobs will be lost and the cost to industry will reach \$110 billion over two decades, according to a study done for a utility industry group.

There are no economic numbers for the wider impact of this regulatory onslaught. If for no other reason, the enormous cost of EPA's regulatory agenda ensures that it will be seriously debated.

**Murray is professor emeritus at Indiana University in Bloomington.**



EPA-108

Alex Barron/DC/USEPA/US

08/30/2011 05:00 PM

To Michael Goo

cc Shannon Kenny

bcc

Subject Notes on Farrell

We do not have a copy of Dominion's comments on the MATS rule

MATS - Public comment period closed August 4th.

(b)(5) (DPP)

A large rectangular area of the document is completely redacted with black ink. It covers the majority of the email body text, starting below the subject line and ending above the 316b reference.

316b - The comment period closed on August 18th.

(b) (5) (DPP)

A smaller rectangular area at the bottom of the email body is redacted with black ink, covering the text following the 316b reference.

EPA-109

Alex Barron/DC/USEPA/US

09/01/2011 11:06 AM

To Sandy Germann

cc Al McGartland, Michael Goo, Robin Kime, Jennifer Bowen,  
Shannon Kenny

bcc

Subject Re: ACTION: Bloomberg inquiry on HR 2401 (TRAIN Act)

(b)(5) (DPP)



-----

(b)(5) (DPP)



-----

(b)(5) (DPP)



Sandy Germann

All, I've checked w/ Jenny and here's...

09/01/2011 10:30:04 AM

From: Sandy Germann/RTP/USEPA/US  
To: Al McGartland/DC/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA, Michael  
Goo/DC/USEPA/US@EPA, Robin Kime/DC/USEPA/US@EPA  
Cc: Jennifer Bowen/DC/USEPA/US@EPA

Date: 09/01/2011 10:30 AM  
Subject: Re: ACTION: Bloomberg inquiry on HR 2401

---

All,

I've checked w/ Jenny and here's what we're proposing. It may be too long for the press office, but with the aim of providing more context, we can try. Please let me know if it's ok to send.

Thanks,

Sandy

(b)(5) (DPP)

[REDACTED]

[REDACTED]

Al McGartland (b)(5) (DPP) 09/01/2011 09:24:00 AM

From: Al McGartland/DC/USEPA/US  
To: Sandy Germann/RTP/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA  
Cc: Michael Goo/DC/USEPA/US@EPA, Robin Kime/DC/USEPA/US@EPA, Jennifer Bowen/DC/USEPA/US@EPA  
Date: 09/01/2011 09:24 AM  
Subject: Re: ACTION: Bloomberg inquiry on HR 2401

---

(b)(5) (DPP)

Sent from my BlackBerry. Please excuse typos and brevity.

Sandy Germann

----- Original Message -----

**From:** Sandy Germann  
**Sent:** 09/01/2011 08:13 AM EDT  
**To:** Alex Barron; Al McGartland  
**Cc:** Michael Goo; Robin Kime  
**Subject:** Fw: ACTION: Bloomberg inquiry on HR 2401

Alex/Al,

See the request below - In anticipation of House bill 2401 - Bloomberg is asking "to what extent does EPA already perform economic analysis, and are they mandatory for every new regulation?"

OAR has drafted a statement and asked for us to weigh in. See bolded text below. (b) (5) deliberative

[REDACTED]

(b)(5) (DPP)

Sandy

----- Forwarded by Sandy Germann/RTP/USEPA/US on 09/01/2011 08:01 AM -----

From: Cathy Milbourn/DC/USEPA/US  
To: Sandy Germann/RTP/USEPA/US@EPA  
Cc: Latisha Petteway/DC/USEPA/US@EPA  
Date: 08/31/2011 05:44 PM  
Subject: ACTION: Bloomberg inquiry on HR 2401

Sandy- this inquiry came in from Bloomberg News-- the reporter is looking at a house bill that will come to the floor on Sept 19 that will require independent economic analysis of several EPA regs (the complete list is below). Betsaida asked me to work with OAR to pull a statement together, OAR suggested that OP weigh in. If it would help to chat-- that's ok too.

I know that most (all) of the rules on the list are air rules, but this seems to be an EO/agency-wide question. (b) (5) deliberative

Please let me know if you have anything to add- or perhaps another starting point, or if you have questions. His deadline is today , but if we can get something tomorrow that's ok.

Here's what we have so far-- if OP could weigh in, add, edit

(b) (5) deliberative

---

Hi Cathy,

I'm looking at a House bill - 2401 - set to make it to the floor the week of Sept. 19. Essentially, it requires an interdepartmental analysis led by Commerce on several EPA regulations, especially air quality & greenhouse gas regulations. My question is, to what extent does EPA already perform economic analyses, and are they mandatory for every new regulation?

Per my previous e-mail, here's the list of regulations that would be subject to that additional review:

(A) 'Federal Implementation Plans To Reduce Interstate Transport of Fine Particulate Matter and Ozone', published at 75 Fed. Reg. 45210 (August 2, 2010).

(B) 'National Ambient Air Quality Standards for Ozone', published at 75 Fed. Reg. 2938 (January 19, 2010).

(C) 'National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters', published at 76 Fed. Reg. 15608 (March 21, 2011).

(D) `National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers', published at 76 Fed. Reg. 15554 (March 21, 2011).

(E) `National Emission Standards for Hazardous Air Pollutants from Coal- and Oil-fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial-Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units', signed by Administrator Lisa P. Jackson on March 16, 2011.

(F) `Hazardous and Solid Waste Management System; Identification and Listing of Special Wastes; Disposal of Coal Combustion Residuals From Electric Utilities', published at 75 Fed. Reg. 35127 (June 21, 2010).

(G) `Primary National Ambient Air Quality Standard for Sulfur Dioxide', published at 75 Fed. Reg. 35520 (June 22, 2010).

(H) `Primary National Ambient Air Quality Standards for Nitrogen Dioxide', published at 75 Fed. Reg. 6474 (February 9, 2010).

(2) The following additional rules or guidelines promulgated on or after January 1, 2009:

(A) Any rule or guideline promulgated under section 111(b) or 111(d) of the Clean Air Act (42 U.S.C. 7411(b), 7411(d)) to address climate change.

(B) Any rule or guideline promulgated by the Administrator of the Environmental Protection Agency, a State, a local government, or a permitting agency under or as the result of section 169A or 169B of the Clean Air Act (42 U.S.C. 7491, 7492).

(C) Any rule establishing or modifying a national ambient air quality standard under section 109 of the Clean Air Act (42 U.S.C. 7409).

(f) Covered Actions- In this section, the term `covered action' means any action on or after January 1, 2009, by the Administrator of the Environmental Protection Agency, a State, a local government, or a permitting agency as a result of the application of part C of title I (relating to prevention of significant deterioration of air quality) or title V (relating to permitting) of the Clean Air Act (42 U.S.C. 7401 et seq.), if such application occurs with respect to an air pollutant that is identified as a greenhouse gas in `Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act', published at 74 Fed. Reg. 66496 (December 15, 2009).

Catherine C. Milbourn  
Senior Press Officer  
Office of Media Relations  
202-564-7849

EPA-110

Alex Barron/DC/USEPA/US

09/01/2011 11:07 AM

To Alex Barron

cc Sandy Germann, Al McGartland, Michael Goo, Robin Kime,  
Jennifer Bowen, Shannon Kenny, Laura Vaught, Lorie  
Schmidt

bcc

Subject Re: ACTION: Bloomberg inquiry on HR 2401 (TRAIN Act)

This time adding LS and LV

Alex Barron

(b)(5) (DPP)

09/01/2011 11:06:40 AM

From: Alex Barron/DC/USEPA/US  
To: Sandy Germann/RTP/USEPA/US@EPA  
Cc: Al McGartland/DC/USEPA/US@EPA, Michael Goo/DC/USEPA/US@EPA, Robin  
Kime/DC/USEPA/US@EPA, Jennifer Bowen/DC/USEPA/US@EPA, Shannon  
Kenny/DC/USEPA/US@EPA  
Date: 09/01/2011 11:06 AM  
Subject: Re: ACTION: Bloomberg inquiry on HR 2401 (TRAIN Act)

(b)(5) (DPP)

[REDACTED]

-----

(b)(5) (DPP)

[REDACTED]

[REDACTED]

-----

(b)(5) (DPP)

[REDACTED]

[REDACTED]

(b)(5) (DPP)

Sandy Germann

All, I've checked w/ Jenny and here's...

09/01/2011 10:30:04 AM

From: Sandy Germann/RTP/USEPA/US  
To: Al McGartland/DC/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA, Michael Goo/DC/USEPA/US@EPA, Robin Kime/DC/USEPA/US@EPA  
Cc: Jennifer Bowen/DC/USEPA/US@EPA  
Date: 09/01/2011 10:30 AM  
Subject: Re: ACTION: Bloomberg inquiry on HR 2401

All,

I've checked w/ Jenny and here's what we're proposing. It may be too long for the press office, but with the aim of providing more context, we can try. Please let me know if it's ok to send.

Thanks,

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(b)(5) (DPP)

Al McGartland

(b)(5) (DPP)

09/01/2011 09:24:00 AM

From: Al McGartland/DC/USEPA/US  
To: Sandy Germann/RTP/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA  
Cc: Michael Goo/DC/USEPA/US@EPA, Robin Kime/DC/USEPA/US@EPA, Jennifer Bowen/DC/USEPA/US@EPA  
Date: 09/01/2011 09:24 AM  
Subject: Re: ACTION: Bloomberg inquiry on HR 2401

(b)(5) (DPP)

Sent from my BlackBerry. Please excuse typos and brevity.

Sandy Germann

----- Original Message -----

From: Sandy Germann

**Sent:** 09/01/2011 08:13 AM EDT  
**To:** Alex Barron; Al McGartland  
**Cc:** Michael Goo; Robin Kime  
**Subject:** Fw: ACTION: Bloomberg inquiry on HR 2401

Alex/Al,

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[REDACTED]

[REDACTED]

Sandy

----- Forwarded by Sandy Germann/RTP/USEPA/US on 09/01/2011 08:01 AM -----

From: Cathy Milbourn/DC/USEPA/US  
To: Sandy Germann/RTP/USEPA/US@EPA  
Cc: Latisha Petteway/DC/USEPA/US@EPA  
Date: 08/31/2011 05:44 PM  
Subject: ACTION: Bloomberg inquiry on HR 2401

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I know that most (all) of the rules on the list are air rules, but this seems to be an EO/agency-wide question. (b) (5) deliberative

[REDACTED]

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Here's what we have so far-- if OP could weigh in, add, edit

(b) (5) deliberative

[REDACTED]

---

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(F) `Hazardous and Solid Waste Management System; Identification and Listing of Special Wastes; Disposal of Coal Combustion Residuals From Electric Utilities', published at 75 Fed. Reg. 35127 (June 21, 2010).

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Catherine C. Milbourn  
Senior Press Officer  
Office of Media Relations  
202-564-7849

EPA-111

Alex Barron/DC/USEPA/US

09/01/2011 01:19 PM

To Michael Goo

cc Shannon Kenny, Robin Kime

bcc

Subject Regs list

I think this should serve your purposes. Given more time I would double check against the overall regs list.



- MG memo on regs billion 9 1 11.docx

WIF

Ex (b)(5) DPP

EPA-112

Alex Barron/DC/USEPA/US

09/01/2011 01:29 PM

To Michael Goo

cc Shannon Kenny, Robin Kime

bcc

Subject MG memo on regs billion 9 1 11

Minor tweaks



- MG memo on regs billion 9 1 11.docx

WIF

Ex (b)(5) DPP

EPA-114

Alex Barron/DC/USEPA/US

09/07/2011 01:39 PM

To Alexander Cristofaro, Nicole Owens, Al McGartland

cc Shannon Kenny, Michael Goo

bcc

Subject Fw: EPA cost-benefit analysis

I propose we send the press office the section below and add the following on background.

-----  
(b) (5) (DPP)



Al - Does that sound OK to you?

Alex

----- Forwarded by Alex Barron/DC/USEPA/US on 09/07/2011 01:21 PM -----

----- Forwarded message -----

From: <Owens.Nicole@epamail.epa.gov>

Date: Wed, Sep 7, 2011 at 1:16 PM

Subject: Re: Fw: Fw: EPA cost-benefit analysis

To: Goo.Michael@epamail.epa.gov

Cc: Alex Barron <barron.alexander@gmail.com>, Alexander Cristofaro <Cristofaro.Alexander@epamail.epa.gov>, kenny.shannon@epa.gov, Al McGartland <McGartland.Al@epamail.epa.gov>

Here is the paragraph:

2.1.16 \*\* The costs of regulations: improving cost estimates

Reason for inclusion: EPA intends to evaluate why and to what degree compliance cost estimates developed prior to the issuance of a regulation (ex-ante compliance costs) differ from actual compliance costs realized after a regulation takes effect (ex-post compliance

costs). EO 13563 requires each agency to use the best available techniques to quantify anticipated, present, and future costs of its regulations as accurately as possible. The overall goal of this project is to improve EPA's ability to estimate ex-ante compliance costs to increase regulatory efficiency.

Background: EPA intends to explore, through an analysis initially focusing on 5 rules, possible sources of uncertainty and reasons why ex-ante cost estimates and estimates of ex-post costs diverge. One of the goals of the project is to determine if any systematic biases exist in EPA's ex-ante cost estimates, and if so, why. One potentially important reason for the difference between ex-ante and ex-post costs is unanticipated technological innovation that occurs between the time a rule is promulgated and when the regulated community must begin complying with the regulation. While we recognize that benefits estimates may also change as a result of technological innovation, we will focus our analysis here on costs with the overall goal of identifying ways EPA can improve estimates of compliance costs to better inform regulation.

The five rules included in this study are:

- National Primary Drinking Water Regulations; Arsenic and Clarifications to Compliance and New Source Contaminants Monitoring;<sup>21</sup>
- National Emission Standards for Hazardous Air Pollutants for Source Category: Pulp and Paper Production; Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards: Pulp, Paper, and Paperboard Category;<sup>22</sup>
- Revision of Standards of Performance for Nitrogen Oxide Emissions From New Fossil-Fuel Fired Steam Generating Units; Revisions to Reporting Requirements for Standards of Performance for New Fossil-Fuel Fired Steam Generating Units;<sup>23</sup>
- Emission Standards for Locomotives and Locomotive Engines;<sup>24</sup> and
- Methyl Bromide Critical Use Nomination for Preplant Soil Use for Strawberry Fruit Grown in Open Fields (Submitted in 2003 for the 2006 Use Season).<sup>25</sup>

Next step: The Agency plans to complete a draft report on the first five rules by fall 2011.

21 "National Primary Drinking Water Regulations; Arsenic and Clarifications to Compliance and New Source Contaminants Monitoring (Final Rule)." 66 FR 6976 (January 22, 2001). Available from: FDsys, <http://www.gpo.gov/fdsys/pkg/FR-2001-01-22/pdf/01-1668.pdf>; Accessed: 08/15/11.

22 "National Emission Standards for Hazardous Air Pollutants for Source Category: Pulp and Paper Production; Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards: Pulp, Paper, and Paperboard Category: Final Rules." 63 FR 18504 (April 15, 1998). Available from: FDsys, <http://www.gpo.gov/fdsys/pkg/FR-1998-04-15/pdf/98-9613.pdf>; Accessed: 08/15/2011.

23 "Revision of Standards of Performance for Nitrogen Oxide Emissions From New Fossil-Fuel Fired Steam Generating Units; Revisions to Reporting Requirements for Standards of Performance for New Fossil-Fuel Fired Steam Generating Units: Final Rule." 63 FR 49442 (September 16, 1998). Available from: FDsys, <http://www.gpo.gov/fdsys/pkg/FR-1998-09-16/pdf/98-24733.pdf>; Accessed: 08/15/2011.

24 "Emission Standards for Locomotives and Locomotive Engines: Final Rule." 63 FR 18978 (April 16, 1998). Available from: FDsys,

<http://www.gpo.gov/fdsys/pkg/FR-1998-04-16/pdf/98-7769.pdf>: Accessed: 08/15/2011.  
25 "Protection of Stratospheric Ozone: Process for Exempting Critical Uses From the Phaseout of Methyl Bromide." 69 FR 76982 (December 23, 2004). Available from FDSys,  
<http://www.gpo.gov/fdsys/pkg/FR-2004-12-23/pdf/04-27905.pdf>: Accessed: 08/15/2011.

From: Michael Goo/DC/USEPA/US  
To: "Al McGartland" <McGartland.Al@epamail.epa.gov>, "Alex Barron" <barron.alexander@gmail.com>, "Alexander Cristofaro" <Cristofaro.Alexander@epamail.epa.gov>, "Nicole Owens" <Owens.Nicole@epamail.epa.gov>, kenny.shannon@epa.gov  
Date: 09/07/2011 01:10 PM  
Subject: Fw: Fw: EPA cost-benefit analysis

Hi guys.

This should be pretty easy.

(b) (5) (DPP)

And then Alex C can you offer to serve as Betsaida's guide for all of this? Thanks to all Alex all Al.

----- Original Message -----

From: Betsaida Alcantara  
Sent: 09/07/2011 12:05 PM EDT  
To: Daniel Kanninen  
Cc: Michael Goo  
Subject: Re: Fw: EPA cost-benefit analysis

i see. (b) (5) (DPP)

From: Daniel Kanninen/DC/USEPA/US  
To: Betsaida Alcantara/DC/USEPA/US@EPA  
Cc: "Michael Goo" <Goo.Michael@epamail.epa.gov>  
Date: 09/07/2011 10:10 AM  
Subject: Re: Fw: EPA cost-benefit analysis

Betsaida,

(b) (5) (DPP)

dk

Dan Kanninen  
White House Liaison  
U.S. Environmental Protection Agency  
202.564.7960  
kanninen.daniel@epa.gov

----- Forwarded by Daniel Kanninen/DC/USEPA/US on 09/07/2011 10:07 AM  
-----

From: Shannon Kenny/DC/USEPA/US  
To: Daniel Kanninen/DC/USEPA/US@EPA  
Date: 09/06/2011 05:49 PM  
Subject: Re: Draft Report on Retrospective Cost of Regulations

Hi, this was one item in the lookback report.

Here's a recent press clip:

EPA LAUNCHES STUDY TO IMPROVE COST ESTIMATES FOR NEW REGULATIONS |  
(Embedded image moved to file: pic18703.gif)Email

Outlet Full Name: Inside EPA Weekly Report

News Text: EPA is launching a study to help improve its estimates of the potential economic costs of regulations and plans to release the results later this year, prompting regulatory experts to say it should lead to more accurate cost predictions but might be a task better suited for analysts outside the agency who have no stake in the outcome of a rule.

The study could help to some extent offset Republicans' criticisms that EPA's methods for analyzing the costs of its rules vastly overestimate their benefits and downplay economic costs. The effort will focus on five rules and "evaluate why and to what degree compliance cost estimates developed prior to the issuance of a regulation (ex-ante compliance costs) differ from actual compliance costs realized after a regulation takes effect (ex-post compliance costs)." The agency says it will release its draft report by this fall.

The study -- part of EPA's regulatory review plan required by President Obama's Executive Order 13563 -- is included as one of the "Early Actions" the agency is focusing on in 2011 as part of its regulatory look-back plan finalized Aug. 23 to identify rules to potentially modify or eliminate (Inside EPA, Aug. 26).

"The overall goal of this project is to improve EPA's ability to estimate ex-ante compliance costs to increase regulatory efficiency," the plan says. The study, "initially focusing" on five air, water and pesticide regulations, will examine "possible sources of uncertainty and reasons why ex-ante cost estimates and estimates of ex-post costs diverge," and seek to determine whether any systematic biases exists in the agency's ex-ante cost estimates.

EPA says one potential reason for the differences between ex-ante and ex-post costs is that technology can advance between the time a rule is developed and when compliance begins, which can drive down costs.

The rules under review in the study are national primary water regulations for arsenic, national emission standards for hazardous air pollutants for the pulp and paper industry, nitrogen oxide emission



standards for fossil fuel-fired steam-generating units, emissions standards for locomotive engines and a methyl bromide pesticide rule. The rules are largely traditional command-and-control regulations requiring the installation of pollution controls.

Still, some observers would like EPA's study to also consider market-based regulations. Marketable permit rules, for example, oftentimes make it cheaper to reach regulatory goals because advances in technology allow companies to quickly improve their performance to meet the requirements and then sell their permits back into the system, according to a source with the Institute for Policy Integrity at New York University School of Law. The source says that regulatory costs can be overestimated if the cost savings of the new technology are not considered as a factor.

Such a study could be compared with an earlier study of EPA's acid rain emissions trading program to determine if there was a difference between those market-based rules and more traditional rules, the source adds.

While a draft of EPA's study is slated for release this fall, the source does not see EPA's work as a response to anti-regulatory critics in Congress and industry who have long attacked what they see as massive costs of agency regulations, but rather part of "a broad and long-term process" by EPA to refine its economic analysis of rules.

A source with the Center for Progressive Reform (CPR), a think tank that generally supports stricter environmental rules, says that the agency's pending study could help to improve rulemaking at EPA.

"There is lots of good reason to believe the ex-ante estimates . . . are systematically biased," the source says, noting that industry data is oftentimes used as the basis for the estimates, which can over-inflate potential costs. The source further notes the difficulty of predicting technological innovation and its impact on cost estimates.

The CPR source says the study could also be helpful in setting feasibility-based standards, as the agency must determine what is technologically feasible in a rule, but also what is economically feasible.

Still, a source with the Mercatus Center at George Mason University, which generally supports fewer agency rules, says the study is "a good thing to do," but questions whether there are "perverse incentives" for the agency to be examining its own methodology, rather than a body external to EPA.

"The incentives are just wrong for the agency," the source says, reiterating a criticism of the entire look-back plan. "Even for analysts, you do not want your own analysts to analyze whether the estimates are accurate." The source says agencies are often reluctant to give up regulatory authority or cut regulations that have been years in the making -- moves they might have to make if a rule proves to be excessively costly.

Shannon Kenny  
Acting Principal DAA  
Office of Policy, U.S. EPA  
202-566-2964

From: Daniel Kanninen/DC/USEPA/US  
To: Shannon Kenny/DC/USEPA/US@EPA  
Date: 09/06/2011 03:54 PM  
Subject: Draft Report on Retrospective Cost of Regulations

Shannon,

(b) (5) (DPP)

dk

(Embedded image moved to file: pic29967.gif)

Dan Kanninen  
White House Liaison  
U.S. Environmental Protection Agency  
202.564.7960  
kanninen.daniel@epa.gov

From: Betsaida Alcantara/DC/USEPA/US  
To: "Michael Goo" <Goo.Michael@epamail.epa.gov>, "Daniel Kanninen" <Kanninen.Daniel@epamail.epa.gov>  
Date: 09/07/2011 10:03 AM  
Subject: Fw: EPA cost-benefit analysis

Michael,

(b) (5) (DPP)

----- Original Message -----

From: "Solomon, Deborah" [Deborah.Solomon@wsj.com]  
Sent: 09/07/2011 09:09 AM AST  
To: Betsaida Alcantara; Brendan Gilfillan  
Subject: EPA cost-benefit analysis

A few folks have mentioned that EPA is reconsidering its cost-benefit analysis. It sounds like that decision precedes the ozone ruling but I wanted to speak with someone there about the reanalysis and what it entails.

Can I get someone on the phone today or can anyone in the press shop talk to me about it?

Thanks

Deborah  
202-862-9289



pic18703.gif



pic29967.gif

EPA-115

Alex Barron/DC/USEPA/US

09/07/2011 05:05 PM

To Michael Goo

cc Shannon Kenny, Robin Kime, Al McGartland

bcc

Subject Memo on 2030 Net Benefits for the EGU NSPS for GHGs

As requested.



- Memo on 2030 Net Benefits 9 6 11.docx

WIF

Ex (b)(5) DPP

EPA-116

Alex Barron/DC/USEPA/US

09/07/2011 08:20 PM

To Michael Goo

cc Shannon Kenny, Robin Kime, Al McGartland

bcc

Subject Memo on the cost of a new source standard with transitional sources included.

I have discussed this with Al and others in NCEE, as well as some short conversations with OAR.



- New source Cost Transitional 9 6 11.docx

WIF

Ex (b)(5) DPP

EPA-117

Alex Barron/DC/USEPA/US

09/08/2011 09:42 AM

To Arvin Ganesan

cc "Michael Goo"

bcc

Subject Re: Fw: Jobs rebuttal

Arvin - (b)(5) (DPP)

I will hunt for other things at my next break.  
Alex



Gina McCarthy testimony 3 1 11.pdf 2011\_0208\_white\_paper\_WaxmanRush.pdf



2011\_0208\_admin\_jackson\_waxman\_rush.pdf Testimony for Regina McCarthy -- hearing 9-8-11\_final.pdf



Arvin Ganesan

Alex, I know you have various rebuttal...

09/08/2011 08:55:14 AM

From: Arvin Ganesan/DC/USEPA/US  
To: "Alex Barron" <Barron.Alex@epamail.epa.gov>, "Michael Goo" <Goo.Michael@epamail.epa.gov>  
Date: 09/08/2011 08:55 AM  
Subject: Fw: Jobs rebuttal

Alex,  
I know you have various rebuttal documents like this. Can you send it to me? They will not be made public.

Thanks

Sent from my Blackberry Wireless Device

---

**From:** "Taylor, Rachael (Appropriations)" [Rachael\_Taylor@appro.senate.gov]  
**Sent:** 09/07/2011 10:51 AM AST  
**To:** Arvin Ganesan; Laura Vaught  
**Cc:** "Knutsen, Kelly (Reed)" <Kelly\_Knutsen@reed.senate.gov>  
**Subject:** Jobs rebuttal

Guys, I don't know if we were clear about this yesterday, but the EPA rebuttal to the

Chamber's "EPA = job killer" message is something that the Senator has personally asked us for, so if there is anything you can send us quickly, we would really appreciate it. Thanks so much.

Rachael S. Taylor  
Professional Staff Member  
U.S. Senate Committee on Appropriations  
Subcommittee on the Interior and Related Agencies  
Direct: (202) 228-3487  
Fax: (202) 228-2345  
Rachael\_Taylor@appro.senate.gov

EPA-118

Alex Barron/DC/USEPA/US

09/08/2011 10:51 AM

To Michael Goo

cc Shannon Kenny, Robin Kime

bcc

Subject Net Benefits for the EGU GHG NSPS in 2030

Michael - Hopefully this serves. Happy to edit further..

(b) (5) (DPP)

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

Please let me know if you have further questions.



Memo on 2030 Net Benefits 9 6 11.docx

WIF

Ex (b)(5) DPP



EPA-119

Alex Barron/DC/USEPA/US

09/08/2011 03:44 PM

To Michael Goo

cc Shannon Kenny, Robin Kime, Paul Balserak, Al McGartland  
bcc

Subject Fw: New source Cost Transitional Source Memo Summary  
and updated document

Here is a quick summary of the attached memo. [you may want to edit the last bullet]

(b) (5) (DPP)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



New source Cost Transitional 9 8 11.docx

WIF  
Ex (b)(5) DPP ACP



EPA-120

Michael Goo/DC/USEPA/US

09/08/2011 06:24 PM

To Gina McCarthy

cc Fulton.Scott, garbow.avi, Janet McCabe, Joseph Goffman,  
perciasepe.bob, Richard Windsor, Sussman.bob,  
Thompson.Diane, Laura Vaught

bcc Alex Barron

Subject Re: GHG NSPS

Thanks Gina. (b) (5) (DPP)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



New source Cost Transitional 9 8 11.docx

WIF

Ex (b)(5) DPP, ACP

Gina McCarthy

Folks - (b) (5) (DPP)

09/08/2011 06:03:57 PM

From:

Gina McCarthy/DC/USEPA/US


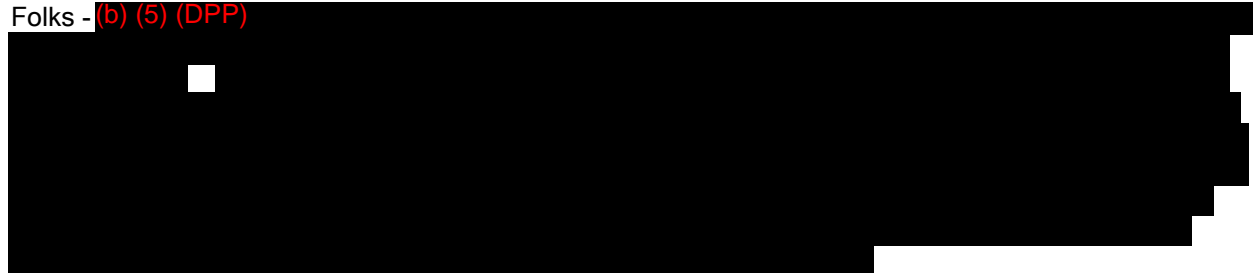
To:

Richard Windsor/DC/USEPA/US@EPA, perciasepe.bob@epa.gov, Michael

Goo/DC/USEPA/US@EPA, Sussman.bob@EPA.GOV, Thompson.Diane@EPA.GOV,  
Fulton.Scott@EPA.GOV  
Cc: Joseph Goffman/DC/USEPA/US@EPA, Janet McCabe/DC/USEPA/US@EPA,  
garbow.avi@epa.gov  
Date: 09/08/2011 06:03 PM  
Subject: GHG NSPS

---

Folks - (b) (5) (DPP)



----- Forwarded by Gina McCarthy/DC/USEPA/US on 09/08/2011 05:51 PM -----

From: Joseph Goffman/DC/USEPA/US  
To: McCarthy.Gina@epamail.epa.gov  
Cc: Tsirigotis.Peter@epa.gov  
Date: 09/07/2011 10:11 PM  
Subject: NSPS TPs plus 2-OPTION Schedule

---

[attachment "GHG EGU NSPS Talking points.docx" deleted by Michael Goo/DC/USEPA/US]

[attachment "EGU nsps summary and 2- OPTION schedule 9\_8\_11.pptx" deleted by Michael Goo/DC/USEPA/US]

Joseph Goffman  
Senior Counsel to the Assistant Administrator  
Office of Air and Radiation  
US Environmental Protection Agency  
202 564 3201

EPA-121

Michael Goo/DC/USEPA/US

09/08/2011 06:24 PM

To Gina McCarthy

cc Fulton.Scott, garbow.avi, Janet McCabe, Joseph Goffman,  
perciasepe.bob, Richard Windsor, Sussman.bob,  
Thompson.Diane, Laura Vaught

bcc Alex Barron

Subject Re: GHG NSPS

Thanks Gina. (b) (5) (DPP)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



New source Cost Transitional 9 8 11.docx

WIF

Ex (b)(5) DPP, ACP

Gina McCarthy

Folks - (b) (5) (DPP)

09/08/2011 06:03:57 PM

From:

Gina McCarthy/DC/USEPA/US


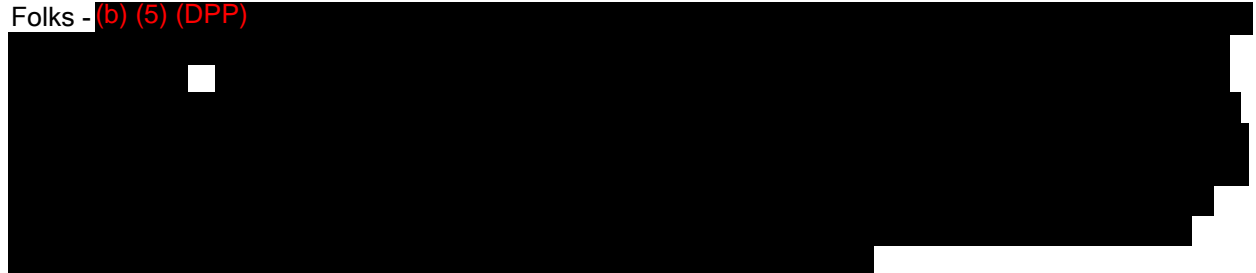
To:

Richard Windsor/DC/USEPA/US@EPA, perciasepe.bob@epa.gov, Michael

Goo/DC/USEPA/US@EPA, Sussman.bob@EPA.GOV, Thompson.Diane@EPA.GOV,  
Fulton.Scott@EPA.GOV  
Cc: Joseph Goffman/DC/USEPA/US@EPA, Janet McCabe/DC/USEPA/US@EPA,  
garbow.avi@epa.gov  
Date: 09/08/2011 06:03 PM  
Subject: GHG NSPS

---

Folks - (b) (5) (DPP)



----- Forwarded by Gina McCarthy/DC/USEPA/US on 09/08/2011 05:51 PM -----

From: Joseph Goffman/DC/USEPA/US  
To: McCarthy.Gina@epamail.epa.gov  
Cc: Tsirigotis.Peter@epa.gov  
Date: 09/07/2011 10:11 PM  
Subject: NSPS TPs plus 2-OPTION Schedule

---

[attachment "GHG EGU NSPS Talking points.docx" deleted by Michael Goo/DC/USEPA/US]

[attachment "EGU nsps summary and 2- OPTION schedule 9\_8\_11.pptx" deleted by Michael Goo/DC/USEPA/US]

Joseph Goffman  
Senior Counsel to the Assistant Administrator  
Office of Air and Radiation  
US Environmental Protection Agency  
202 564 3201

EPA-122

Michael Goo/DC/USEPA/US

09/08/2011 06:28 PM

To Shannon Kenny, Alex Barron

cc

bcc


Subject Fw: GHG NSPS

----- Forwarded by Michael Goo/DC/USEPA/US on 09/08/2011 06:27 PM -----

From: Gina McCarthy/DC/USEPA/US  
To: Richard Windsor/DC/USEPA/US@EPA, perciasepe.bob@epa.gov, Michael Goo/DC/USEPA/US@EPA, Sussman.bob@EPA.GOV, Thompson.Diane@EPA.GOV, Fulton.Scott@EPA.GOV  
Cc: Joseph Goffman/DC/USEPA/US@EPA, Janet McCabe/DC/USEPA/US@EPA, garbow.avi@epa.gov  
Date: 09/08/2011 06:03 PM  
Subject: GHG NSPS

---

Folks - (b) (5) (DPP)



----- Forwarded by Gina McCarthy/DC/USEPA/US on 09/08/2011 05:51 PM -----

From: Joseph Goffman/DC/USEPA/US  
To: McCarthy.Gina@epamail.epa.gov  
Cc: Tsirigotis.Peter@epa.gov  
Date: 09/07/2011 10:11 PM  
Subject: NSPS TPs plus 2-OPTION Schedule

---



GHG EGU NSPS Talking points.docx

WIF

Ex (b)(5) DPP



EGU nsps summary and 2- OPTION schedule 9\_8\_11.pptx

WIF

Ex (b)(5) DPP

Joseph Goffman  
Senior Counsel to the Assistant Administrator  
Office of Air and Radiation  
US Environmental Protection Agency  
202 564 3201





EPA-123

Alex Barron/DC/USEPA/US

09/09/2011 04:04 PM

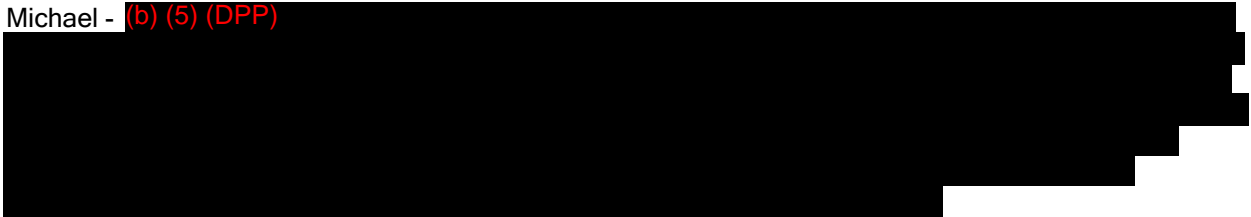
To Michael Goo

cc Shannon Kenny

bcc

Subject Benefits and costs for LDV OS

Michael - (b) (5) (DPP)



I will chat with you on Monday about the employment analysis.

Alex

Alex Barron, Ph.D.  
Senior Advisor  
Office of Policy  
U.S. Environmental Protection Agency  
202-564-3304

EPA-124

Alex Barron/DC/USEPA/US

09/09/2011 04:06 PM

To Michael Goo

cc Shannon Kenny

bcc

Subject Fw: Questions for transitional sources

(b)(5) (DPP)

----- Forwarded by Alex Barron/DC/USEPA/US on 09/09/2011 04:05 PM -----

From: Kevin Culligan/DC/USEPA/US  
To: Alex Barron/DC/USEPA/US@EPA  
Cc: Shannon Kenny/DC/USEPA/US@EPA  
Date: 09/09/2011 03:53 PM  
Subject: Re: Fw: Questions for transitional sources

Thanks (b)(5) (DPP)

Alex Barron

(b)(5) (DPP)

09/09/2011 03:51:59 PM

From: Alex Barron/DC/USEPA/US  
To: Kevin Culligan/DC/USEPA/US@EPA  
Cc: Shannon Kenny/DC/USEPA/US@EPA  
Date: 09/09/2011 03:51 PM  
Subject: Fw: Questions for transitional sources

(b)(5) (DPP)

A

----- Forwarded by Alex Barron/DC/USEPA/US on 09/09/2011 03:51 PM -----

From: Paul Balserak/DC/USEPA/US  
To: Alex Barron/DC/USEPA/US@EPA  
Cc: Barry Elman/DC/USEPA/US@EPA, David A Evans/DC/USEPA/US@EPA, Alex Marten/DC/USEPA/US@EPA  
Date: 09/09/2011 02:54 PM  
Subject: Questions for transitional sources

Alex,

(b)(5) (DPP)

(b)(5) (DPP)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

EPA-126

Alex Barron/DC/USEPA/US

09/12/2011 03:49 PM

To Robin Kime

cc George Wyeth, mcgartland.al, Michael Goo, Bicky Corman,  
Alex Marten, DavidA Evans

bcc

Subject Re: Report to review: Time sensitive

Robin - I am on the call with OMB so I think the attached memo will have to do (pasted and attached). If anyone has any drop-dead issues with this, you have about 5 minutes to flag before robin sends it off.

Alex

**Summary and Thoughts on American Energy Innovation Council's report :  
Catalyzing American Ingenuity : The Role of Government in Energy Innovation**

(b) (5) deliberative [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

(b)(5) (DPP)



Memo on American Energy Innovation Council report 9 12 11.docx

WIF  
Ex (b)(5) DPP



AEIC\_Catalyzing American Ingenuity\_2011.pdf

EPA-127

Michael Goo/DC/USEPA/US  
09/13/2011 09:01 AM

To: Alex Barron  
cc  
bcc  
Subject: Re: WSJ on Sunstein / Daley Influence (and meetings that led to ozone decision)

Oh you mean the actual climate?  
Alex Barron

----- Original Message -----

**From:** Alex Barron  
**Sent:** 09/13/2011 08:54 AM EDT  
**To:** "Shannon Kenny" <Kenny.shannon@epa.gov>; Bicky Corman; Michael Goo; "Al McGartland" <mcartland.al@epa.gov>  
**Subject:** Fw: WSJ on Sunstein / Daley Influence (and meetings that led to ozone decision)

The chamber praises the fact that Mr Daley has "changed the climate". need I point out that ozone is a ghg?

A

Sandy Germann

----- Original Message -----

**From:** Sandy Germann  
**Sent:** 09/13/2011 08:39 AM EDT  
**To:** Michael Goo; Bicky Corman; Shannon Kenny; Alex Barron; Al McGartland  
**Subject:** WSJ on Sunstein / Daley Influence (and meetings that led to ozone decision)

WSJ, September 12

## White House Regulation Shift Is a Political Bet

Cass Sunstein, the White House regulatory chief, had long argued for restraint in the growth of federal rules. As 2011 opened, he found a powerful, new ally inside the White House.

Bill Daley, a veteran of the top circles in business and politics, had been hired by President

Barack Obama as chief of staff after the Democrats' disastrous midterm elections.

In the months that followed, Messrs. Daley and Sunstein helped reshape the administration's regulatory posture.

The most prominent result came Sept. 2, when Mr. Obama surprised environmental activists

by scrapping a rule that would have toughened air-quality standards, and which business

groups had said would cost jobs. But the push to give business arguments greater consideration has been seen in other regulatory moves.

Republicans and some business groups say Mr. Obama must jettison a host of other proposed regulations to reverse what they argue is an antibusiness perspective.

Brad

Dayspring, a spokesman for House Majority Leader Eric Cantor (R., Va.), said Sunday that

Republicans welcomed the decision on air-quality standards but can't yet say that administration posture has fundamentally changed. "It's a welcome sign but there's still more

to go if there's really a change," he said. "If he could do a few others like that, that would set

us in the right direction."

Still, the U.S. Chamber of Commerce, a lobby group for business, has noted a change at the

White House. Bill Kovacs, a senior vice president at the Chamber, said Mr. Sunstein is far

more visible than during the first two years of the administration. And he said Mr. Daley had

"changed the climate" at the White House.

"For the first two years, when there was a concern raised about regulation, the sense was

they're just moving forward," he said. "Now, at least they're listening."

Political imperatives have influenced the new approach. Mr. Obama's political team helped

spur the change, aiming to reposition the president in the political center and win back

independent voters who deserted Democrats in 2010.

The political bet is that the White House can strike a balance that defuses GOP attacks while

keeping core supporters in the fold. The risk is that the president fails to satisfy business

groups, while alienating his liberal base.

Mr. Sunstein, who has been friends with Mr. Obama since their days on the University of

Chicago law-school faculty, has long written about the need to weigh costs more prominently

in determining whether regulations are worthwhile. As an academic, he spoke of the risks of

over-regulation. Liberals were concerned about his selection to head the White House Office

of Information and Regulatory Affairs, which reviews regulations proposed by federal

agencies.

"Unless the law requires otherwise, we are going to give very serious consideration to costs and benefits and choose the least burdensome approach," Mr. Sunstein said in an interview.

He has gotten backing from Mr. Daley, the former J.P. Morgan Chase executive who was

brought into the White House partly to improve frayed relations with the business community.

Before taking the job, Mr. Daley was co-chairman of a Chamber of Commerce committee on

financial regulation, arguing against consumer protections that became part of the final Dodd-

Frank law. In June, he told a meeting of the National Association of Manufacturers that some

regulatory hurdles are "hard to defend."

Soon after Mr. Daley came on board, the president issued an executive order that had been

debated internally for months and which directed cabinet agencies to avoid excessive

regulations. Based on that directive, Mr. Sunstein launched a review of existing rules and

ultimately proposed killing hundreds of them. In July, Mr. Daley directed cabinet secretaries

to consider the impact on jobs when proposing new regulations.

On Aug. 16, Mr. Daley met with environmental, public-health and other groups to discuss the

Environmental Protection Agency rule that would tighten air-quality standards. At one point

he lamented that the issue couldn't be worked out by consensus with industry, as the White

House did with the auto industry on fuel-economy rules.

When the American Lung Association mentioned a poll showing public support for EPA

standards, Mr. Daley appeared uninterested, according to one person in the room. "He

literally cut the person off and said 'I don't give a [expletive] about the poll,' " this person said.

A senior White House official said Mr. Daley wanted to hear arguments about the substance

of the regulation and its impact, not political arguments, and he was uninterested in all polls

on this topic.

The same day, Mr. Daley met with industry groups, who gave the White House a map



showing counties that would be out of compliance with the Clean Air Act if the stricter standards were put in place. The map showed that the rule would affect areas in the politically important 2012 election states of Florida, Pennsylvania, Virginia and Ohio.

The White House is pressing forward on other regulations, including a disputed rule on mercury emissions from power plants, as well as rules implementing the Obama-backed health-care and financial-regulatory laws. The White House considered but ultimately rejected suggestions for a partial moratorium on new regulations.

Mr. Obama explained his effort at balance in his address to Congress on Thursday. Some rules put an "unnecessary burden" on businesses and are unjustified, he said. "But what we can't do, what I will not do, is let this economic crisis be used as an excuse to wipe out" rules that he called "basic protections" for Americans.

Credit: By Laura Meckler And Carol E. Lee

---

EPA-128

Alex Barron/DC/USEPA/US

09/13/2011 12:00 PM

To Laura Vaught, Lorie Schmidt

cc Michael Goo, Shannon Kenny, Bicky Corman

bcc

Subject DRAFT SAP on TRAIN ACT

Wanted to make sure you saw this. (b)(5) (DPP)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(b) (5) (DPP)

----- Forwarded by Alex Barron/DC/USEPA/US on 09/13/2011 11:55 AM -----

From: Robin Kime/DC/USEPA/US  
To: Michael Goo/DC/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA, Shannon  
Kenny/DC/USEPA/US@EPA, Alexander Cristofaro/DC/USEPA/US@EPA  
Date: 09/13/2011 11:55 AM  
Subject: Fw: SHORT DEADLINE: 8:30 AM Wednesday, September 14, 2011 LRM [EHF-112-175] OMB  
Statement of Administration Policy on HR2401 Transparency in Regulatory Analysis of Impacts on  
the Nation Act of 2011 #589923517#

---

The threshold for commenting on SAPs is high but/and wanted to be sure you saw this.

----- Forwarded by Robin Kime/DC/USEPA/US on 09/13/2011 11:53 AM -----

From: Clara Jones/DC/USEPA/US  
To: Robin Kime/DC/USEPA/US@EPA, Larry Weinstock/DC/USEPA/US@EPA, Marna  
McDermott/DC/USEPA/US@EPA, Eileen McMahon/OIG/USEPA/US@EPA  
Cc: Tamara Saltman/DC/USEPA/US@EPA, Lorie Schmidt/DC/USEPA/US@EPA, Joel  
Beauvais/DC/USEPA/US@EPA, John Manibusan/OIG/USEPA/US@EPA, Laura  
Vaught/DC/USEPA/US@EPA, Arvin Ganesan/DC/USEPA/US@EPA, Steven  
Kinberg/DC/USEPA/US@EPA, Tom Dickerson/DC/USEPA/US@EPA, Christina  
Moody/DC/USEPA/US@EPA, Monica Linnenbrink/RTP/USEPA/US@EPA, jones.clara@epa.gov  
Date: 09/13/2011 10:45 AM  
Subject: Fw: SHORT DEADLINE: 8:30 AM Wednesday, September 14, 2011 LRM [EHF-112-175] OMB  
Statement of Administration Policy on HR2401 Transparency in Regulatory Analysis of Impacts on  
the Nation Act of 2011 #589923517#

---

## **SHORT DEADLINE: 8:30 AM TOMORROW - Wednesday, September 14, 2011**

**SUBJECT: LRM [EHF-112-175] OMB Statement of Administration Policy on HR2401  
Transparency in Regulatory Analysis of Impacts on the Nation Act of 2011**

**Please review the attached draft SAP for HR 2401 and advise of any comments by 10:00 AM Wednesday. Thanks. House Leadership has announced that HR 2401 will be on the House floor during the week of 9/19.**

**Also attached FYI is a copy of the bill as marked up by Committee. This is the same markup as was provided on 7/14 under LRM EHF-112-147 (with a request for views).**

**I am providing it again because the reported bill is not yet available on THOMAS.**

Please advise us if this item will affect direct spending or receipts for the purposes of the Statutory Pay-as-You-Go Act of 2010.

Thank you.



- HR2401.docx



- 20110714155348944.pdf

WIF

Ex (b)(5) DPP

WIF

Ex (b)(5) DPP

EPA-129

Alex Barron/DC/USEPA/US

09/13/2011 03:02 PM

To Michael Goo

cc "Shannon Kenny"

bcc

Subject Fw: Memo on Net Benefits 9 13 11

Alex Barron

----- Original Message -----

**From:** Alex Barron

**Sent:** 09/13/2011 11:31 AM EDT

**To:** Shannon Kenny

**Subject:** Memo on Net Benefits 9 13 11

Can you edit? I'm going to start on the deck...



- Memo on Net Benefits 9 13 11.docx

WIF

Ex (b)(5) DPP

EPA-130

Michael Goo/DC/USEPA/US

09/13/2011 04:47 PM

To Alex Barron

cc

bcc

Subject Fw: CONFIRMING REP. WAXMAN'S SUPPORT FOR  
DISASTER PREVENTION AT WATER FACILITIES

this is pretty funny because they wrote this whole damn thing and then dotson does his usual thing---note how carefully he parsed his words.....

----- Forwarded by Michael Goo/DC/USEPA/US on 09/13/2011 04:46 PM -----

From: Rick Hind <rick.hind@greenpeace.org>  
To: Michael Goo/DC/USEPA/US@EPA, Robin Kime/DC/USEPA/US@EPA, Heidi Ellis/DC/USEPA/US@EPA  
Date: 09/13/2011 03:06 PM  
Subject: CONFIRMING REP. WAXMAN'S SUPPORT FOR DISASTER PREVENTION AT WATER FACILITIES

---

Michael,

Thank you for taking the time to meet with our coalition today. We also appreciate your willingness to continue to explore this initiative. Also, to reassure you about Rep. Waxman's support for using the EPA's CAA General Duty Clause to address the security gap at water treatment facilities I pasted Greg Dotson's May 27th email below as well as relevant excerpts of my email to him. We also have a pending request for a meeting with Gregory Miller in Nikki Buffa's office at CEQ and we're also be happy to meet Mathy Stanislaus in OSWER as well.

Thanks again,

Rick

(202) 319-2445

----- Original Message -----

Subject: RE: ONE MORE TRY ON WATER FACILITIES ONLY WITH EPA

Date: Fri, 27 May 2011 10:17:16 -0400

From: Dotson, Greg <Greg.Dotson@mail.house.gov>

To: 'Rick Hind' <rick.hind@greenpeace.org>

I believe I can safely say that we'd be supportive of action to address risk at water facilities.

-----Original Message-----

From: Rick Hind [mailto:rick.hind@greenpeace.org]

Sent: Friday, May 27, 2011 10:14 AM

To: Dotson, Greg

Subject: ONE MORE TRY ON WATER FACILITIES ONLY WITH EPA

Importance: High

Greg,

After putting together what you and Michal gleaned from EPA sources we want to go back to Michael Goo with one more option, focused solely on water facilities (draft below)... Can we tell him you would support this approach?

Thanks again,

Rick

DRAFT  
Michael,

We understand that concerns were raised about the options we sent you in April, possibly around the interface with the DHS CFATS program. Taking that into account we would propose a scaled back option focused on water treatment facilities. This could also be done within the security frame and be completely compatible with DHS and the 2003 "Homeland Security Presidential Directive 7." In particular, 18C of that directive gives the EPA responsibility for security at drinking water and wastewater treatment systems.

Applying the General Duty Clause obligation to design and operate water facilities to prevent catastrophic releases by accident or terrorism. This would represent initiatives that would not only dramatically reduce risks but would also eliminate regulatory obligations. Facilities that no longer store threshold quantities of listed poison gases would be "de-registered" from EPA's Risk Management Program.

Approximately 2,400 water treatment facilities are currently exempt from CFATS. The DHS, GAO and many others have raised concerns about the "security gap" that these facilities represent. For example, based on facility reports to EPA's Risk Management Program there are at least 65 water facilities (see attached list) that each put 100,000 or more people at risk of a catastrophic release. These facilities are in major cities such as: Los Angeles, Miami, New Orleans, Minneapolis, Detroit, Dallas and Richmond. The CAA General Duty Clause also obligates them to be designed and operated in ways that prevent catastrophic releases.

The fact that at least 554 water facilities that have converted to safer processes while many of the highest risk facilities have not exposes the need for a prioritized initiative to determine how these plants can eliminate these risks. For a list of converted water facilities see the March 2010 Center for American Progress report at:  
[http://www.americanprogress.org/issues/2010/03/chemical\\_security.html](http://www.americanprogress.org/issues/2010/03/chemical_security.html)

We also support a balanced approach to this as was contained in the House-passed bill (H.R. 2868) which also had the support of the water utility trade groups. Specifically it said that high-risk water treatment facilities "will not be required to implement safer methods unless those methods are consistent with water quality standards established by Safe Drinking Water Act and Clean Water Act and are also approved by state governments in all states that are authorized to run drinking water and clean water programs."

Please let us know if you'd like to pursue this. We think key allies on the Hill will support this as will the 87 organizations signed on to the attached letter to President Obama which we are still circulating for signatures (we don't plan to deliver it until later in June).

Thank you again for your consideration.

--

Rick Hind  
Legislative Director, Greenpeace  
702 H Street, NW #300

Washington, DC 20001  
(202) 319-2445 (direct)  
(202) 413-8513 (cell)  
(202) 462-1177 (switch board)  
(202) 462-4507 (fax)  
[rick.hind@greenpeace.org](mailto:rick.hind@greenpeace.org)  
[www.greenpeaceusa.org](http://www.greenpeaceusa.org)



EPA-131

Alex Barron/DC/USEPA/US  
09/13/2011 04:54 PM

To: Al McGartland  
cc: Michael Goo  
bcc:  
Subject: Re: email from Chris Hope

Al - (b) (5) (DPP)



Al McGartland

(b)(5) (DPP)

09/13/2011 04:18:10 PM

From: Al McGartland/DC/USEPA/US  
To: Michael Goo/DC/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA  
Date: 09/13/2011 04:18 PM  
Subject: email from Chris Hope

---

(b)(5) (DPP)



(b) (5) (DPP)



Al McGartland, PhD.  
Director, National Center for Environmental Economics  
US EPA  
1201 Pennsylvania Ave., N.W.  
Washington, D.C. 20460

202.566.2244

EPA-132

Alex Barron/DC/USEPA/US

09/13/2011 05:36 PM

To Al McGartland

cc Michael Goo

bcc

Subject SCC

AI - (b) (5) (DPP)



Thanks,

EPA-133

Alex Barron/DC/USEPA/US

09/13/2011 07:23 PM

To Michael Goo

cc Al McGartland

bcc

Subject Quick note on SCC

Michael - (b) (5) (DPP)



Thanks,

EPA-134

Michael Goo/DC/USEPA/US

09/13/2011 09:32 PM

To Alex Barron

cc

bcc

Subject Re: Quick note on SCC

Good.

Alex Barron

----- Original Message -----

**From:** Alex Barron


**Sent:** 09/13/2011 07:23 PM EDT

**To:** Michael Goo

**Cc:** Al McGartland

**Subject:** Quick note on SCC

Michael - (b) (5) (DPP)



Thanks,

EPA-135

Michael Goo/DC/USEPA/US

09/14/2011 11:05 AM

To Alex Barron, Shannon Kenny

cc

bcc

Subject Fw: Climate News Roundup 9-14-11

relacing coal with gas no panacea due to methane leakage---ncar

----- Forwarded by Michael Goo/DC/USEPA/US on 09/14/2011 11:04 AM -----

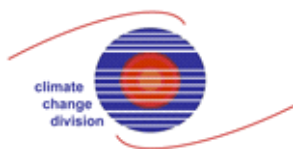
From: Brian Drozd/DC/USEPA/US

To:

Date: 09/14/2011 10:37 AM

Subject: Climate News Roundup 9-14-11

---



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(Washington Post)

[http://www.washingtonpost.com/politics/white-house-pushed-500-million-loan-to-solar-company-now-under-investigation/2011/09/13/gIQA3WbQK\\_story.html](http://www.washingtonpost.com/politics/white-house-pushed-500-million-loan-to-solar-company-now-under-investigation/2011/09/13/gIQA3WbQK_story.html)

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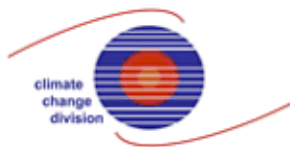
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**Science**

**the end of each month**

**-see monthly science roundup at**



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Brian Drozd  
ORISE Fellow  
Climate Change Division  
Communications Team  
202-343-9987  
[drozd.brian@epa.gov](mailto:drozd.brian@epa.gov)

EPA-136

Alex Barron/DC/USEPA/US

09/14/2011 11:07 AM

To Michael Goo

cc Shannon Kenny

bcc

Subject Re: Fw: Climate News Roundup 9-14-11

But:

- 1) we lose the cooling benefit when MATS forces PM controls
- 2) our NSPS will require better control of CH4 leaks

I doubt this paper accounts for either, but could check.

A

Michael Goo

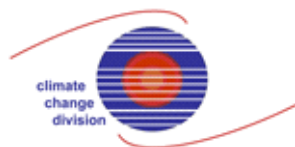
relacing coal with gas no panacea due t...

09/14/2011 11:05:17 AM

From: Michael Goo/DC/USEPA/US  
To: Alex Barron/DC/USEPA/US@EPA, Shannon Kenny/DC/USEPA/US@EPA  
Date: 09/14/2011 11:05 AM  
Subject: Fw: Climate News Roundup 9-14-11

relacing coal with gas no panacea due to methane leakage---ncar  
----- Forwarded by Michael Goo/DC/USEPA/US on 09/14/2011 11:04 AM -----

From: Brian Drozd/DC/USEPA/US  
To:  
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the end of each month

-see monthly science roundup at



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Brian Drozd  
ORISE Fellow  
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202-343-9987  
[drozd.brian@epa.gov](mailto:drozd.brian@epa.gov)

EPA-137

Michael Goo/DC/USEPA/US

To Alex Barron

09/14/2011 11:13 AM

cc

bcc

Subject Re: Fw: Climate News Roundup 9-14-11

ah dont bother checking but good to know what Tom Wigley is saying

Alex Barron

But: 1) we lose the cooling benefit whe...

09/14/2011 11:07:15 AM

From: Alex Barron/DC/USEPA/US  
To: Michael Goo/DC/USEPA/US@EPA  
Cc: Shannon Kenny/DC/USEPA/US@EPA  
Date: 09/14/2011 11:07 AM  
Subject: Re: Fw: Climate News Roundup 9-14-11

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Michael Goo

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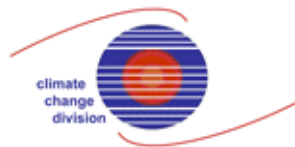
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----- Forwarded by Michael Goo/DC/USEPA/US on 09/14/2011 11:04 AM -----

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[drozd.brian@epa.gov](mailto:drozd.brian@epa.gov)

EPA-138

Alex Barron/DC/USEPA/US

09/14/2011 12:19 PM

To Shannon Kenny

cc Laura Vaught, Michael Goo, Alexander Cristofaro, Robin Kime

bcc

Subject Fw: National Journal EPA story

Shannon - The press office wants to respond to a national journal story that asks:

4. When was the last time EPA issued so many major regulatory rules on industry and pollution at one time? Is this unprecedented - or at least very unusual?

I am proposing that we respond:

(b) (5) (DPP)



If you are okay with this, I will run it past OAR.

A

----- Forwarded by Alex Barron/DC/USEPA/US on 09/14/2011 12:14 PM -----

From: Mariana Cubeddu/DC/USEPA/US  
To: Nicole Owens/DC/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA  
Cc: Lesley Schaaff/DC/USEPA/US@EPA, Alexander Cristofaro/DC/USEPA/US@EPA  
Date: 09/14/2011 09:26 AM  
Subject: Re: Fw: National Journal EPA story

---

Alex,

I would say the following...

(b) (5) (DPP)



---

For your benefit-- here is the background stats....

EPA has conducted an analysis of regulatory activity in recent years. We provide two sets of statistics between CY 2001-2011, one which identifies all the final actions signed by the Administrator (which tend to be those final actions of most interest to the public) and second, a more comprehensive list that includes all final actions, which includes those major actions that require Administrator signature and also minor actions signed at other delegated levels, such as state implementation actions, pesticide tolerance actions. Both data sets include the number of final actions by year published that modify the CFR (which includes direct final and interim final rules).

**Both sets of statistics show that the number of final actions issued per year during the Obama Administration is lower than those issued during the later years of the Bush Administration.**

**1. Final Actions that Modify the CFR Regardless of Who Signed (Source: Lexis Nexis)**

|      |                                       |
|------|---------------------------------------|
| 2001 | 604                                   |
| 2002 | 510                                   |
| 2003 | 498                                   |
| 2004 | 437                                   |
| 2005 | 483                                   |
| 2006 | 462                                   |
| 2007 | 426                                   |
| 2008 | 448                                   |
| 2009 | 396                                   |
| 2010 | 414                                   |
| 2011 | 306 (current through Thursday Aug 25) |

(Note: the second set is split between 2001-2004 and 2005-present because the source of the data is different)

**2. Final Actions that Modify the CFR Signed by the Administrator (Source: Lexis Nexis)**

|      |    |
|------|----|
| 2001 | 85 |
| 2002 | 87 |
| 2003 | 58 |
| 2004 | 63 |

**Final Actions that Modify the CFR Signed by the Administrator (Source: US EPA Reg Stat website)**

|      |                                                            |
|------|------------------------------------------------------------|
| 2005 | 69                                                         |
| 2006 | 85                                                         |
| 2007 | 66                                                         |
| 2008 | 82                                                         |
| 2009 | 44                                                         |
| 2010 | 62                                                         |
| 2011 | 41 (current through Thursday Aug 25) (Source: Lexis Nexis) |

General statistics about EPA's regulatory activity can we found on our RegStat website - [www.epa.gov/regstat](http://www.epa.gov/regstat). This website provides information on published actions signed by the Administrator that modify the CFR for calendar year 2005-2010.

Nicole Owens      [Hi. Can you send these stats to Alex B...](#)      09/14/2011 08:22:09 AM

From: Nicole Owens/DC/USEPA/US  
To: "Mariana Cubeddu" <Cubeddu.Mariana@epamail.epa.gov>  
Date: 09/14/2011 08:22 AM  
Subject: Fw: National Journal EPA story

---

Hi. Can you send these stats to Alex B?  
Alex Barron

----- Original Message -----

**From:** Alex Barron  
**Sent:** 09/13/2011 07:29 PM EDT  
**To:** Lesley Schaaff; Nicole Owens; Bruce Schillo  
**Cc:** Shannon Kenny  
**Subject:** Fw: National Journal EPA story

Can you help me fill in the following response to a press inquiry? I cannot for the life of me find the stats you have already run on this.

4. When was the last time EPA issued so many major regulatory rules on industry and pollution at one time? Is this unprecedented - or at least very unusual?

(b) (5) (DPP)



----- Forwarded by Alex Barron/DC/USEPA/US on 09/13/2011 04:56 PM -----

From: Betsaida Alcantara/DC/USEPA/US  
To: John Millett/DC/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA  
Cc: David Bloomgren/DC/USEPA/US@EPA  
Date: 09/13/2011 04:47 PM  
Subject: National Journal EPA story

---

John and Alex,  
We need help pulling answers for these. Can your folks start taking a crack at some of these questions. I'm adding Alex Barron from OP to help answer the "is this unprecedented number of rules at one time". I've bolded the ones that are relevant to you both below.

----- Forwarded by Betsaida Alcantara/DC/USEPA/US on 09/13/2011 04:44 PM -----

From: "Davenport, Coral" <cdavenport@nationaljournal.com>  
To: "Davenport, Coral" <cdavenport@nationaljournal.com>, David Bloomgren/DC/USEPA/US@EPA  
Cc: Betsaida Alcantara/DC/USEPA/US@EPA  
Date: 09/09/2011 03:27 PM  
Subject: RE: National Journal EPA story

---



Betsaida, David;

We are still very eager to run this story, but we just don't think we can do it justice without the actual voice of the EPA -- Lisa Jackson -- as a central element of the story. My deadline is next Thursday morning, so I'd need to talk to Lisa -- and, ideally, Gina on background, as first discussed -- early next week. Here are some of the questions and discussion points we'd like to talk about. Really hope we can make this happen!

All the best,  
Coral

1. EPA is in the midst of issuing a slew of new clean air rules and other industrial regulations - on greenhouse gases, mercury and air toxics standards, cross-state air pollution, cement manufacturers, and more. EPA inherited the obligation to put out many of these regulations, many of which were court-ordered or had been delayed in the Bush administration. Can you talk about the process of coming into office, realizing that this needed to happen, and putting together a plan for rolling all these out? **How much of the timing and release of these rules is dependent on what's come before, and how much does this administration influence?**

2. What kinds of conversations and debates took place within the administration as you prepared to begin issuing these rules?

3. Was there concern from some quarters that there would be too many rules at one time?

4. **When was the last time EPA issued so many major regulatory rules on industry and pollution at one time? Is this unprecedented - or at least very unusual?**

5. It's my understanding that in 2010, knowing that the agency would soon be rolling out these regulations, Gina McCarthy invited the Edison Electric Institute to a meeting at EPA, to talk about what these regulations were, and how the agency could work with industry to implement them in a way that would have the least harmful impacts on jobs, electricity supply and the economy generally. Can you talk about how those discussions went?

6. What other discussions and interactions with industry have you had ahead of putting together and issuing the rules?

7. Were you surprised at the intense political pushback to the rules?

8. What would happen if these rules and regulations were not implemented?

9. What will be the overall impact of all these rules - on energy generation, public health, the environment, the economy?

10. Which of the rules will have the biggest impact on how industrial polluters, such as coal-fired utilities, change the way they do business?

11. The Clean Air Act Amendments of 1990 put in place major new standards for pollutants like sulfur dioxide, mercury, etc. How and why has it been determined that there need to so many new rules and regulations for these?

Didn't the 1990 law essentially stop acid rain in most parts of the country?

**12. What are specific examples of regions or people that are being harmed by current power plant pollution, whose situations would be changed by the implementation of these regulations?**

Coral Davenport  
Energy and Environment Correspondent  
National Journal  
O: 202-266-7399  
C: 703-618-0645  
cdavenport@nationaljournal.com  
Twitter: @NJCoralD

[www.nationaljournal.com](http://www.nationaljournal.com)

-----Original Message-----

From: Davenport, Coral  
Sent: Wednesday, September 07, 2011 2:22 PM  
To: Bloomgren.David@epamail.epa.gov  
Cc: Alcantara.Betsaida@epamail.epa.gov  
Subject: RE: National Journal EPA story

Hi, David and Betsaida,

Wanted to get back with you about scheduling interviews with Gina and Lisa. I know the last week has been nuts for you guys, but it has also sharply heightened interest in a big story about the EPA! My absolute deadline for filing this is next Thursday. Could we set up interviews with them in the coming days?

Thanks again for all your help,  
Coral

Coral Davenport  
Energy and Environment Correspondent  
National Journal  
O: 202-266-7399  
C: 703-618-0645  
cdavenport@nationaljournal.com  
Twitter: @NJCoralD

[www.nationaljournal.com](http://www.nationaljournal.com)

-----Original Message-----

From: Bloomgren.David@epamail.epa.gov [mailto:Bloomgren.David@epamail.epa.gov]  
Sent: Thursday, September 01, 2011 11:03 AM  
To: Davenport, Coral  
Subject: Re: National Journal EPA story

Hi Coral -

Wanted to follow-up and let you know that we haven't forgotten about you. Know you are on a tight timeline but we're still working on coordinating schedules.

Hope to get back to you soon.

Thanks,  
David

David E. Bloomgren  
Senior Advisor  
U.S. Environmental Protection Agency  
Direct: 202.564.0639  
Mobile: 202.604.5926

From: "Davenport, Coral" <cdavenport@nationaljournal.com>  
To: David Bloomgren/DC/USEPA/US@EPA  
Cc: Betsaida Alcantara/DC/USEPA/US@EPA  
Date: 08/29/2011 11:35 PM  
Subject: Re: National Journal EPA story

Argh...that's the one time I couldn't do it-- I am in Nevada at the Harry Reid/Biden/Chu clean energy summit, and that's right at the keynote speeches. Would any time Wednesday, Thursday or Friday be possible? I realize y'all have packed schedules and am so appreciative that Gina can take the time to talk!

Sent from my Blackberry  
-----

Coral Davenport  
Energy and Environment Correspondent  
National Journal  
O: 202-266-7399  
C: 703-618-0645  
cdavenport@nationaljournal.com

www.nationaljournal.com  
Follow me on Twitter: @NJCoralD

----- Original Message -----

From: Bloomgren.David@epamail.epa.gov <Bloomgren.David@epamail.epa.gov>  
To: Davenport, Coral  
Cc: Alcantara.Betsaida@epamail.epa.gov  
<Alcantara.Betsaida@epamail.epa.gov>  
Sent: Mon Aug 29 14:16:47 2011  
Subject: National Journal EPA story

Hi Coral -

Betsaida is working on the request to interview Administrator Jackson. In the meantime, we'd like to offer Gina McCarthy on background for your story. Gina's available tomorrow at 12ET. Does that work for you?

Thanks,  
David

David E. Bloomgren  
U.S. Environmental Protection Agency  
Direct: 202.564.0639  
Mobile: 202.604.5926

From: "Davenport, Coral" [cdavenport@nationaljournal.com]  
Sent: 08/29/2011 10:15 AM AST  
To: Betsaida Alcantara  
Subject: National Journal EPA story

Hi, Betsaida,

Given the urgency of the debate over EPA regs, we'd love to push ahead the date of our feature story (which I'm told will also make it more likely to be a cover). In order to do that, I'd need to interview the administrator no later than Sept. 6 or 7. Any chance that would be possible? I know her schedule's tight, but we'd love to get the story out ASAP!

Coral Davenport  
Energy and Environment Correspondent  
National Journal  
O: 202-266-7399  
C: 703-618-0645  
cdavenport@nationaljournal.com  
Twitter: @NJCoralD

[www.nationaljournal.com](http://www.nationaljournal.com)

David E. Bloomgren  
U.S. Environmental Protection Agency  
Direct: 202.564.0639  
Mobile: 202.604.5926

EPA-139

Alex Barron/DC/USEPA/US

09/14/2011 01:06 PM

To Barry Elman, Paul Balserak

cc Shannon Kenny, Michael Goo

bcc

Subject Permitted, not constructed coal

Barry - (b)(5) (DPP)

Alex

----- Forwarded by Alex Barron/DC/USEPA/US on 09/14/2011 01:03 PM -----

From: Kevin Culligan/DC/USEPA/US  
To: Barry Elman/DC/USEPA/US@EPA  
Cc: Alex Barron/DC/USEPA/US@EPA  
Date: 09/14/2011 01:02 PM  
Subject: One in Region 3

Barry,

(b)(5) (DPP)

- Kevin

----- Forwarded by Kevin Culligan/DC/USEPA/US on 09/14/2011 12:31 PM -----

From: Dave Svendsgaard/RTP/USEPA/US  
To: Nick Hutson/RTP/USEPA/US@EPA, Kevin Culligan/DC/USEPA/US@EPA  
Date: 09/14/2011 12:22 PM  
Subject: Fw: IMPORTANT -- Status of Unconstructed Coal Plant permits

(b)(5) (DPP)

----- Forwarded by Dave Svendsgaard/RTP/USEPA/US on 09/13/2011 04:26 PM -----

From: David Talley/R3/USEPA/US  
To: Dave Svendsgaard/RTP/USEPA/US@EPA  
Date: 09/13/2011 04:21 PM  
Subject: Fw: IMPORTANT -- Status of Unconstructed Coal Plant permits

Dave -

(b)(5) (DPP)

David Talley  
Environmental Engineer  
EPA Region III  
Office of Permits & Air Toxics 3AP10  
1650 Arch Street  
Philadelphia, PA 19103

215.814.2117  
talley.david@epa.gov

----- Forwarded by David Talley/R3/USEPA/US on 09/13/2011 04:20 PM -----

From: Kathleen Cox/R3/USEPA/US  
To: Himanshu Vyas/R3/USEPA/US@EPA  
Cc: David Talley/R3/USEPA/US@EPA  
Date: 09/13/2011 04:17 PM  
Subject: Re: Fw: IMPORTANT -- Status of Unconstructed Coal Plant permits

---

This is fine, thanks.

Kathleen (Anderson) Cox, Associate Director  
Office of Permits and Air Toxics (3AP10)  
U. S. EPA - Region III  
1650 Arch Street  
Phila. PA 19103  
ph: (215) 814-2173  
fax: (215) 814-2134  
email: cox.kathleen@epa.gov

Himanshu Vyas (b)(5) (DPP) 09/13/2011 02:00:58 PM

From: Himanshu Vyas/R3/USEPA/US  
To: Kathleen Cox/R3/USEPA/US@EPA  
Cc: David Talley/R3/USEPA/US@EPA  
Date: 09/13/2011 02:00 PM  
Subject: Re: Fw: IMPORTANT -- Status of Unconstructed Coal Plant permits

---

(b)(5) (DPP)

Himanshu Vyas

Environmental Engineer  
U.S. EPA, Region III  
Office of Permits and Air Toxics (3AP10)  
1650 Arch Street  
Philadelphia, PA 19103-2029

Phone: 215-814-2112  
FAX: 215-814-2134

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---

Kathleen Cox (b)(5) (DPP) 09/12/2011 08:28:12 AM

From: Kathleen Cox/R3/USEPA/US  
To: David Talley/R3/USEPA/US@EPA  
Cc: Emlyn Velez-Rosa/R3/USEPA/US@EPA, Gerallyn Duke/R3/USEPA/US, Himanshu Vyas/R3/USEPA/US@EPA, Mike Gordon/R3/USEPA/US@EPA, Paul Wentworth/R3/USEPA/US@EPA  
Date: 09/12/2011 08:28 AM  
Subject: Re: Fw: IMPORTANT -- Status of Unconstructed Coal Plant permits

---

(b)(5) (DPP)

Thanks.

Kathleen (Anderson) Cox, Associate Director  
Office of Permits and Air Toxics (3AP10)  
U. S. EPA - Region III  
1650 Arch Street  
Phila. PA 19103  
ph: (215) 814-2173  
fax: (215) 814-2134  
email: cox.kathleen@epa.gov

---

David Talley Hi All- (b)(5) (DPP) 09/12/2011 08:17:48 AM

From: David Talley/R3/USEPA/US  
To: Kathleen Cox/R3/USEPA/US@EPA, Mike Gordon/R3/USEPA/US@EPA, Gerallyn Duke/R3/USEPA/US, Himanshu Vyas/R3/USEPA/US@EPA, Paul Wentworth/R3/USEPA/US@EPA, Emlyn Velez-Rosa/R3/USEPA/US@EPA  
Date: 09/12/2011 08:17 AM  
Subject: Fw: IMPORTANT -- Status of Unconstructed Coal Plant permits

---

Hi All-

(b)(5) (DPP)

Thanks for your help!  
-Dave

David Talley  
Environmental Engineer

EPA Region III  
Office of Permits & Air Toxics 3AP10  
1650 Arch Street  
Philadelphia, PA 19103  
215.814.2117  
talley.david@epa.gov


----- Forwarded by David Talley/R3/USEPA/US on 09/12/2011 08:10 AM -----

From: Dave Svendsgaard/RTP/USEPA/US  
To: Adina Wiley/R6/USEPA/US@EPA, Bonnie Braganza/R6/USEPA/US@EPA, Christopher Razzazian/R8/USEPA/US@EPA, David Talley/R3/USEPA/US@EPA, Donald Dahl/R1/USEPA/US@EPA, Frank Jon/R2/USEPA/US@EPA, Gerardo Rios/R9/USEPA/US@EPA, Gregg Worley/R4/USEPA/US@EPA, Heather Abrams/R4/USEPA/US@EPA, Jeffrey Robinson/R6/USEPA/US@EPA, Jessica Montanez/RTP/USEPA/US@EPA, Jon Knodel/R7/USEPA/US@EPA, Joseph Lapka/R9/USEPA/US@EPA, Kathleen Cox/R3/USEPA/US@EPA, Kathleen Forney/R4/USEPA/US@EPA, Laura Yannayon/R9/USEPA/US@EPA, MarkA Smith/R7/USEPA/US@EPA, Melanie Magee/R6/USEPA/US@EPA, Mike Gordon/R3/USEPA/US@EPA, Mike Owens/R8/USEPA/US@EPA, Mike Sewell/RTP/USEPA/US@EPA, Pamela Blakley/R5/USEPA/US@EPA, Pat Nair/R10/USEPA/US@EPA, Raj Rao/RTP/USEPA/US@EPA, Richard Angelbeck/R5/USEPA/US@EPA, Suilin Chan/R2/USEPA/US@EPA, Ward Burns/R7/USEPA/US@EPA  
Cc: Kevin Culligan/DC/USEPA/US@EPA, Nick Hutson/RTP/USEPA/US@EPA  
Date: 09/09/2011 04:57 PM  
Subject: IMPORTANT -- Status of Unconstructed Coal Plant permits

---

Regional PAT -

(b)(5) (DPP)





Please respond by COB Tuesday, Sept 13. (b)(5) (DPP)

Thanks.

Dave

[attachment "Transitional Sources.docx" deleted by Kathleen Cox/R3/USEPA/US]

EPA-140

Alex Barron/DC/USEPA/US

09/15/2011 09:06 AM

To Michael Goo, Shannon Kenny

cc

bcc

Subject Re: "Greenhouse gases for power plants is first on the docket,"

I know enough not to read too much into this, but it kind of makes my day.

A

Michael Goo

----- Original Message -----

**From:** Michael Goo

**Sent:** 09/15/2011 08:48 AM EDT

**To:** Alex Barron; Shannon Kenny

**Subject:** "Greenhouse gases for power plants is first on the docket,"

SAN FRANCISCO (Reuters) - The head of the U.S. Environmental Protection Agency on Wednesday said that the agency was reconsidering regulation for mercury emissions from industrial boilers and also expected to announce a new schedule soon for greenhouse gas regulation of power plants.

The administration of President Barack Obama is under pressure from business to cut environmental regulation that critics say is hurting the economy and last week Obama backtracked on smog plans.

"Actually we are reconsidering the boiler rule (for mercury) and we are doing some really hard work on finalizing that so we can move ahead," EPA Administrator Lisa Jackson said on the sidelines of an event in San Francisco. "We are still intending to finalize that ruling in November."

The administration is also working on plans to limit greenhouse gases from power plants and oil refineries.

**"Greenhouse gases for power plants is first on the docket," she added** . The agency would not make a proposal target for the end of the month, though, she said. "We are still working and will be shortly announcing a new schedule."

EPA-141

Michael Goo/DC/USEPA/US

09/15/2011 02:11 PM

To Thomas Gillis, DavidA Evans, Alex Barron, Shannon Kenny

cc

bcc

Subject Fw: Luminant 2012 Lignite Sensitivity Parsed Results

(b) (5) (DPP)

----- Forwarded by Michael Goo/DC/USEPA/US on 09/15/2011 02:08 PM -----

From: Bob Sussman/DC/USEPA/US  
To: Michael Goo/DC/USEPA/US@EPA  
Cc: Donald Maddox/DC/USEPA/US@EPA  
Date: 09/15/2011 10:49 AM  
Subject: Fw: Luminant 2012 Lignite Sensitivity Parsed Results

FYI -- (b) (5) (DPP)

Robert M. Sussman  
Senior Policy Counsel to the Administrator  
Office of the Administrator  
US Environmental Protection Agency

----- Forwarded by Bob Sussman/DC/USEPA/US on 09/15/2011 10:48 AM -----

From: Bob Sussman/DC/USEPA/US  
To: Joseph Goffman/DC/USEPA/US@EPA  
Cc: Gina McCarthy/DC/USEPA/US@EPA, Sam Napolitano/DC/USEPA/US@EPA  
Date: 09/15/2011 10:29 AM  
Subject: Re: Luminant 2012 Lignite Sensitivity Parsed Results

Thanks Joe. (b) (5) (DPP)

Robert M. Sussman  
Senior Policy Counsel to the Administrator  
Office of the Administrator  
US Environmental Protection Agency

Joseph Goffman Bob -- (b) (5) (DPP) 09/15/2011 09:24:23 AM

From: Joseph Goffman/DC/USEPA/US  
To: Bob Sussman/DC/USEPA/US@EPA  
Cc: Sam Napolitano/DC/USEPA/US@EPA, Gina McCarthy/DC/USEPA/US@EPA  
Date: 09/15/2011 09:24 AM  
Subject: Luminant 2012 Lignite Sensitivity Parsed Results

Bob -- (b) (5) (DPP)

(b) (5) (DPP)



LigniteSens 2012 for Luminant.xlsx

WIF

Ex (b)(5) DPP

EPA-142

Michael Goo/DC/USEPA/US

09/15/2011 02:20 PM

To DavidA Evans, Thomas Gillis, Shannon Kenny, Alex Barron,  
Alexander Cristofaro, Lesley Schaaff

cc

bcc

Subject Fw: Luminant 2012 Lignite Sensitivity Parsed Results

FYI---and since it looks like there will be career staff maybe one or both (David and Tom) of you can come to the 6:30 meeting if you want to (not required).

----- Forwarded by Michael Goo/DC/USEPA/US on 09/15/2011 02:18 PM -----

From: Bob Sussman/DC/USEPA/US  
To: Michael Goo/DC/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA  
Date: 09/15/2011 01:56 PM  
Subject: Fw: Luminant 2012 Lignite Sensitivity Parsed Results

Robert M. Sussman  
Senior Policy Counsel to the Administrator  
Office of the Administrator  
US Environmental Protection Agency

----- Forwarded by Bob Sussman/DC/USEPA/US on 09/15/2011 01:56 PM -----

From: Joseph Goffman/DC/USEPA/US  
To: Bob Sussman/DC/USEPA/US@EPA  
Cc: Gina McCarthy/DC/USEPA/US@EPA, Sam Napolitano/DC/USEPA/US@EPA  
Date: 09/15/2011 11:14 AM  
Subject: Re: Luminant 2012 Lignite Sensitivity Parsed Results

(b) (5) (DPP) The first availability Sam and I have today is at 6:00. Does that work for you?

(b) (5) (DPP)

Thanks.



CSAPR Lignite vs Subbit fuel switching EXCERPT.docx

Joseph Goffman  
Senior Counsel to the Assistant Administrator  
Office of Air and Radiation  
US Environmental Protection Agency  
202 564 3201

Bob Sussman

Thanks Joe. (b) (5) (DPP)

09/15/2011 10:29:57 AM

From: Bob Sussman/DC/USEPA/US  
To: Joseph Goffman/DC/USEPA/US@EPA  
Cc: Gina McCarthy/DC/USEPA/US@EPA, Sam Napolitano/DC/USEPA/US@EPA  
Date: 09/15/2011 10:29 AM  
Subject: Re: Luminant 2012 Lignite Sensitivity Parsed Results

---

Thanks Joe. (b) (5) (DPP)

[REDACTED]

Robert M. Sussman  
Senior Policy Counsel to the Administrator  
Office of the Administrator  
US Environmental Protection Agency

---

Joseph Goffman   Bob -- (b) (5) (DPP)   09/15/2011 09:24:23 AM

From: Joseph Goffman/DC/USEPA/US  
To: Bob Sussman/DC/USEPA/US@EPA  
Cc: Sam Napolitano/DC/USEPA/US@EPA, Gina McCarthy/DC/USEPA/US@EPA  
Date: 09/15/2011 09:24 AM  
Subject: Luminant 2012 Lignite Sensitivity Parsed Results

---

Bob -- (b) (5) (DPP)

[REDACTED]

[REDACTED]

[REDACTED]

[attachment "LigniteSens 2012 for Luminant.xlsx" deleted by Joseph Goffman/DC/USEPA/US]

EPA-143

Alex Barron/DC/USEPA/US

09/15/2011 10:20 PM

To Michael Goo

cc

bcc

Subject Fw: Luminant

Fyi - I sent these to sam.

A

Alex Barron

----- Original Message -----

**From:** Alex Barron

**Sent:** 09/15/2011 08:10 PM EDT

**To:** Sam Napolitano

**Cc:** DavidA Evans

**Subject:** Luminant

Sam - some follow up questions:

(b) (5) (DPP) [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Thanks,  
A

EPA-145

Michael Goo/DC/USEPA/US

09/16/2011 04:58 PM

To Barry Elman

cc Alex Barron, Paul Balserak, Shannon Kenny

bcc

Subject Re: Preliminary findings on transitional sources

thanks Barry

Barry Elman

Michael, (b)(5) (DPP)

09/16/2011 03:40:01 PM

From: Barry Elman/DC/USEPA/US  
To: Michael Goo/DC/USEPA/US@EPA  
Cc: Alex Barron/DC/USEPA/US@EPA, Shannon Kenny/DC/USEPA/US@EPA, Paul Balserak/DC/USEPA/US@EPA  
Date: 09/16/2011 03:40 PM  
Subject: Preliminary findings on transitional sources

---

Michael,

(b)(5) (DPP)

| [REDACTED]


| [REDACTED]

| [REDACTED]

| [REDACTED]



(b)(5) (DPP)



I [redacted]  
[redacted]  
[redacted]

[redacted]  
[redacted]

[redacted]

Barry

[attachment "Preliminary Transitional Source Info -- bse -- 9-16-11.docx" deleted by Michael  
Goo/DC/USEPA/US]

EPA-146

Alex Barron/DC/USEPA/US

09/19/2011 12:46 PM

To Michael Goo, Shannon Kenny

cc Robin Kime

bcc

Subject NSPS Proposal Summary slide deck 9 19 11

Latest draft.



- NSPS Proposal Summary 9 19 11 arb.pptx

WIF

Ex (b)(5) DPP

EPA-147

Alex Barron/DC/USEPA/US  
09/19/2011 12:47 PM

To Paul Balserak, DavidA Evans, Alex Marten, Barry Elman,  
Shannon Kenny  
cc Michael Goo  
bcc  
Subject Fw: AEP Chairman Mike Morris: "we feel that we have  
demonstrated to a certainty that the carbon capture and  
storage is in fact viable technology for the United States"

Whole document is kind of interesting.

----- Forwarded message -----

From: **Vickie Patton** <[vpatton@edf.org](mailto:vpatton@edf.org)>

Date: Sat, Sep 17, 2011 at 9:22 PM

Subject: AEP Chairman Mike Morris: "we feel that we have demonstrated to a certainty that the carbon capture and storage is in fact viable technology for the United States"

To: **Joseph Goffman**

AEP's Mike Morris statement on a July 29th earnings call in response to a question about the Mountaineer CCS Project:

"Going forward without a carbon legislation or without an appropriate approach to carbon and its impact it was simply not able for us to go forward and continue that project. It has been completed or will be completed through the base engineering drawings and activity that is and laid up for another day. We are encouraged by what we saw, we're clearly impressed with what we learned and we feel that we have demonstrated to a certainty that the carbon capture and storage is in fact viable technology for the United States and quite honestly for the rest of the world going forward."

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- AEP Earnings Call - July 29 - 2011.pdf

EPA-148

Alex Barron/DC/USEPA/US

09/19/2011 10:31 PM

To Laura Vaught

cc Nicole Owens, Alexander Cristofaro, Michael Goo, Shannon  
Kenny, Lorie Schmidt, Joel Beauvais


bcc barron.alexander

Subject Reg Review Plan backgrounder and Q&A

Laura - I am attaching some background material for the administrator on the reg review plan. It is a fair amount but since it comes up in her testimony OP wants her to be well prepared.

Nicole and Alex C. - I made some heavy edits to streamline and incorporate some of Michael's comments. Let me know if you see anything problematic. If either of you have access to a word version of the document and could paste in the (b) (5) (DPP) before 9:15 tomorrow, that would be great.

Laura - If they can't get to it, you can also just print out pages 17, 18 and 32 of the plan:  
<http://www.epa.gov/regdarrt/retrospective/documents/eparetroreviewplan-aug2011.pdf>

Alex  - EPA's Retrospective Review Plan\_Q&A on Lookback arb.docx

WIF

Ex (b)(5) DPP

EPA-149

Alex Barron/DC/USEPA/US  
09/20/2011 10:05 AM

To: Michael Goo, "Shannon Kenny", "Paul Balserak"  
cc: "Robin Kime"  
bcc:  
Subject: Fw: Upton letter

Robin - this is for mg's book

Everyone - this will be going out before the thursday hearing. So if there are issues that need fixing, let me know

A

Lorie Schmidt

----- Original Message -----

**From:** Lorie Schmidt  
**Sent:** 09/20/2011 10:02 AM EDT  
**To:** Alex Barron; "vaught laura" <vaught.laura@epa.gov>  
**Subject:** Fw: Upton letter

Lorie Schmidt

----- Original Message -----

**From:** Lorie Schmidt  
**Sent:** 09/19/2011 11:16 PM EDT  
**To:** Jim Ketcham-Colwill  
**Subject:** Upton letter

Jim -- I think this looks very nice.

There are a few things I would like you to check with OTAQ and OAQPS (there are comments indicating this in the document, too)

OAQPS: 19, 2nd paragraph -- (b) (5) (DPP)

OAQPS: 9(a) -- do we need to update?

OTAQ: 22 -- we should add a paragraph on (b) (5) (DPP)



Upton 7-14-11 re GHGs Response 9-19-2011 Is track.docx

WIF  
Ex (b)(5) DPP

EPA-150

Alex Barron/DC/USEPA/US

09/20/2011 02:06 PM

To Michael Goo

cc Shannon Kenny, Robin Kime, DavidA Evans, Paul Balserak,  
Al McGartland, Barry Elman, Alex Marten, Peter Nagelhout

bcc

Subject NSPS for EGUs background slide deck

Michael - Here is the draft slide deck covering some key background on the NSPS for GHGs for EGUs.  
Happy to answer any questions or make revisions.

Alex



NSPS Proposal Summary 9 20 11 arb.pptx

WIF

Ex (b)(5) DPP

EPA-151

**Michael Goo/DC/USEPA/US**  
09/20/2011 03:54 PM

To Robin Kime, Alexander Cristofaro, Shannon Kenny, Alex  
Barron  
cc  
bcc  
Subject final of list a tps



Group A list of rules with talking pts.docx

WIF  
Ex (b)(5) DPP

EPA-152

Alex Barron/DC/USEPA/US

09/20/2011 07:58 PM

To Michael Goo

cc Shannon Kenny, Al McGartland, Lesley Schaaff, Alexander  
Cristofaro, Bicky Corman, Robin Kime

bcc

Subject MAJOR RULE BCA/employment table 9/2011

I prepped this for the hearing on Thursday but figured others might find it useful.

PRAD folks, this should be in good shape as I mostly pulled from NCEE materials and public docs, but let me know if you see any problems.

Alex



- MAJOR RULE table 9-20 arb.docx

WIF

Ex (b)(5) DPP



EPA-153

Alex Barron/DC/USEPA/US  
09/21/2011 04:45 PM

To "Al McGartland", "Jennifer Bowen", "Nathalie Simon",  
"Shannon Kenny", "Michael Goo", "Robin Kime", "Bicky  
Corman"

cc

bcc

Subject Fw: Fw: MAJOR RULES AS OF 9 21 11 BCA jobs

Updated with ciswi and oil/gas nsps.  
Jonathan Lubetsky

----- Original Message -----

**From:** Jonathan Lubetsky  
**Sent:** 09/21/2011 04:21 PM EDT  
**To:** Lorie Schmidt  
**Cc:** Alex Barron; Jim DeMocker; Laura Vaught  
**Subject:** Re: Fw: MAJOR RULES AS OF 9 21 11 BCA jobs

Attached is the edited table.

Let me know if you have questions.

Jonathan



WIF  
Ex (b)(5) DPP

MAJOR RULES AS OF 9 21 11 BCA jobs v2.docx

Lorie Schmidt ----- Forwarded by Lorie Schmidt/DC/U... 09/21/2011 10:45:48 AM

From: Lorie Schmidt/DC/USEPA/US  
To: Jonathan Lubetsky/DC/USEPA/US@EPA  
Date: 09/21/2011 10:45 AM  
Subject: Fw: MAJOR RULES AS OF 9 21 11 BCA jobs

----- Forwarded by Lorie Schmidt/DC/USEPA/US on 09/21/2011 10:45 AM -----

From: Lorie Schmidt/DC/USEPA/US  
To: Alex Barron/DC/USEPA/US@EPA  
Cc: Jim DeMocker/DC/USEPA/US@EPA, Laura Vaught/DC/USEPA/US@EPA  
Date: 09/21/2011 10:28 AM  
Subject: Re: MAJOR RULES AS OF 9 21 11 BCA jobs

Jonathan -- can you add these two rules to the table?

Alex Barron Lorie - Shouldn't we add CISWI and Oil... 09/21/2011 10:26:19 AM

From: Alex Barron/DC/USEPA/US  
To: , Lorie Schmidt/DC/USEPA/US@EPA, Jim DeMocker/DC/USEPA/US@EPA  
Cc: Laura Vaught/DC/USEPA/US@EPA  
Date: 09/21/2011 10:26 AM  
Subject: MAJOR RULES AS OF 9 21 11 BCA jobs

Lorie - (b) (5) (DPP)

A

[attachment "MAJOR RULES AS OF 9 21 11 BCA jobs.docx" deleted by Jonathan Lubetsky/DC/USEPA/US]

EPA-154

Alex Barron/DC/USEPA/US

09/21/2011 08:50 PM

To Michael Goo, Shannon Kenny, Bicky Corman

cc Alexander Cristofaro, Lesley Schaaff, Robin Kime, Al  
McGartland, Nathalie Simon, Jennifer Bowen

bcc

Subject Fw: MAJOR RULES AS OF 9 21 11 BCA jobs

With a few of the missing rules added thanks to a catch by NCEE.

A

----- Forwarded by Alex Barron/DC/USEPA/US on 09/21/2011 08:47 PM -----

From: Jonathan Lubetsky/DC/USEPA/US  
To: Lorie Schmidt/DC/USEPA/US@EPA  
Cc: Alex Barron/DC/USEPA/US@EPA, Jim DeMocker/DC/USEPA/US@EPA, Laura  
Vaught/DC/USEPA/US@EPA  
Date: 09/21/2011 04:22 PM  
Subject: Re: Fw: MAJOR RULES AS OF 9 21 11 BCA jobs

---

Attached is the edited table.

Let me know if you have questions.

Jonathan



MAJOR RULES AS OF 9 21 11 BCA jobs v2.docx

WIF

Ex (b)(5) DPP

Lorie Schmidt

----- Forwarded by Lorie Schmidt/DC/U...

09/21/2011 10:45:48 AM

From: Lorie Schmidt/DC/USEPA/US  
To: Jonathan Lubetsky/DC/USEPA/US@EPA  
Date: 09/21/2011 10:45 AM  
Subject: Fw: MAJOR RULES AS OF 9 21 11 BCA jobs

---

----- Forwarded by Lorie Schmidt/DC/USEPA/US on 09/21/2011 10:45 AM -----

From: Lorie Schmidt/DC/USEPA/US  
To: Alex Barron/DC/USEPA/US@EPA  
Cc: Jim DeMocker/DC/USEPA/US@EPA, Laura Vaught/DC/USEPA/US@EPA  
Date: 09/21/2011 10:28 AM  
Subject: Re: MAJOR RULES AS OF 9 21 11 BCA jobs

---

Jonathan -- can you add these two rules to the table?

Alex Barron


Lorie - (b)(5) (DPP)

09/21/2011 10:26:19 AM

From: Alex Barron/DC/USEPA/US  
To: , Lorie Schmidt/DC/USEPA/US@EPA, Jim DeMocker/DC/USEPA/US@EPA  
Cc: Laura Vaught/DC/USEPA/US@EPA  
Date: 09/21/2011 10:26 AM  
Subject: MAJOR RULES AS OF 9 21 11 BCA jobs

---

Lorie - (b) (5) (DPP)

A large black rectangular redaction box covers the majority of the first line of text.

A

[attachment "MAJOR RULES AS OF 9 21 11 BCA jobs.docx" deleted by Jonathan Lubetsky/DC/USEPA/US]

EPA-156

Alex Barron/DC/USEPA/US

09/26/2011 01:47 PM

To Laura Vaught, Joel Beauvais, Lorie Schmidt

cc Shannon Kenny, Michael Goo, Al McGartland, Nicole Owens

bcc

Subject HEC EO hearing prep docs

I figured it made sense to pull together all of the prep docs I had drummed up for the HEC-IO hearing on EO compliance into one e-mail, in case folks wanted to hunt for them later, use them for QFRs, etc.

Alex



TPs re Reliability (9-16-11).docx



Cumulative Impacts of Regulations TPs post hearing rev.docx



Employment Analysis TPs DRAFT (9-13-11) arb.docx



General Employment TPs 9 19 11 simple.docx



LPJ testimony for 092211 HEC O&I hearing.FINAL.doc.docx



XMillionPerJobTPs.docx



Air rules & reliability - 9-13-11.docx



CCR Jobs QA v3.docx



EPA's Retrospective Review Plan\_Q&A on Lookback forLPJ.doc



Indstry Claims.doc



The Pace of EPA Rulemaking Is Out of Control.doc



Mercury Benefits are only 0.4%.docx



MAJOR RULES AS OF 9 21 11 BCA jobs v2.docx



Clean Energy And Job Creation TPs.docx



Retro Review 1 pager.docx

All attachments on this page are  
WIF, Ex (b)(5) DPP, except for  
"LPJ testimony for 092211 HEC  
O&I hearing.FINAL"

EPA-158

Alex Barron/DC/USEPA/US

09/28/2011 10:16 AM

To Al McGartland, Michael Goo

cc

bcc

Subject Fw: OIG Report: "Procedural Review of EPA's Greenhouse Gases Endangerment Finding Data Quality Processes"

FYI - report is not public yet.

A

----- Forwarded by Alex Barron/DC/USEPA/US on 09/28/2011 10:15 AM -----

From: Arvin Ganesan/DC/USEPA/US  
To: Alex Barron/DC/USEPA/US@EPA, Patricia Haman/DC/USEPA/US@EPA, Josh Lewis/DC/USEPA/US@EPA, Diann Frantz/DC/USEPA/US@EPA, Joyce Frank/DC/USEPA/US@EPA, Joel Beauvais/DC/USEPA/US@EPA, Laura Vaught/DC/USEPA/US@EPA  
Date: 09/28/2011 10:06 AM  
Subject: Fw: OIG Report: "Procedural Review of EPA's Greenhouse Gases Endangerment Finding Data Quality Processes"

---

See below.

EPA Statement:

We appreciate the important role played by the Inspector General's Office and will give the recommendations of this report the utmost consideration.

The report importantly does not question or even address the science used or the conclusions reached – by the EPA under this and the previous administration – that greenhouse gas pollution pose a threat to the health and welfare of the American people. Instead, the report is focused on questions of process and procedures. While we will consider the specific recommendations, we disagree strongly with the Inspector Generals' findings and followed all the appropriate guidance in preparing this finding.

EPA undertook a thorough and deliberate process in the development of this finding, including a careful review of the wide range of peer-reviewed science. Since EPA finalized the endangerment finding in December of 2009, the vast body of peer reviewed science that EPA relied on to make its determination has undergone further examination by a wide range of independent scientific bodies. All of those reviews have upheld the validity of the science.

----- Forwarded by Arvin Ganesan/DC/USEPA/US on 09/28/2011 10:05 AM -----

From: News OIG/OIG/USEPA/US  
To: Gina McCarthy/DC/USEPA/US@EPA, Paul Anastas/DC/USEPA/US@EPA  
Cc: Patricia Gilchrist/DC/USEPA/US@EPA, Diane Bazzle/DC/USEPA/US@EPA, Barbara Bennett/DC/USEPA/US@EPA, Deborah Rutherford/DC/USEPA/US@EPA, Scott Fulton/DC/USEPA/US@EPA, Lek Kadeli/DC/USEPA/US@EPA, Kevin Teichman/DC/USEPA/US@EPA, Arvin Ganesan/DC/USEPA/US@EPA, Seth Oster/DC/USEPA/US@EPA, Joshua Minorics/RTP/USEPA/US@EPA, David LaRoche/DC/USEPA/US@EPA, Norman Adkins/RTP/USEPA/US@EPA, Beth Craig/DC/USEPA/US@EPA  
Date: 09/27/2011 11:33 AM

Subject:           OIG Report: "Procedural Review of EPA's Greenhouse Gases Endangerment Finding Data Quality Processes"

---

Attached is the EPA Office of Inspector General (OIG) report, *Procedural Review of EPA's Greenhouse Gases Endangerment Finding Data Quality Processes* (Report No. 11-P-0702), done as a result of a congressional request.



20110926-11-P-0702\_cert.pdf

As noted in the report's transmittal memorandum, you are required to provide a written response to this report within 90 calendar days.

The report will be made available to the public on the OIG's website tomorrow, September 28, after 12:00 p.m. The report will be at <http://www.epa.gov/oig>.

EPA-159

Michael Goo/DC/USEPA/US

09/30/2011 11:04 AM

To Robin Kime, Thomas Gillis, Lesley Schaaff, Alexander Cristofaro, Shannon Kenny, Alex Barron, Al McGartland

cc

bcc

Subject Fw: Revisions to CSAPR

please close hold and send all comments back to me. Joe has promised me that he will highlight changes in the next version so we dont have to do start from scratch review.....

----- Forwarded by Michael Goo/DC/USEPA/US on 09/30/2011 11:02 AM -----

From: Joseph Goffman/DC/USEPA/US  
To: Michael Goo/DC/USEPA/US@EPA  
Cc: Robin Kime/DC/USEPA/US@EPA, Shannon Kenny/DC/USEPA/US@EPA  
Date: 09/30/2011 10:55 AM  
Subject: Fw: Revisions to CSAPR

---

Hi, Michael -- I'll give a call in a moment, but the package on this will be heading your way in a couple of hours. (b) (5) (DPP)

[REDACTED]

Thanks for your  
and everybody's patience..

Joseph Goffman  
Senior Counsel to the Assistant Administrator  
Office of Air and Radiation  
US Environmental Protection Agency  
202 564 3201

----- Forwarded by Joseph Goffman/DC/USEPA/US on 09/30/2011 10:48 AM -----

From: Jeb Stenhouse/DC/USEPA/US  
To: Gina McCarthy/DC/USEPA/US@EPA, Joseph Goffman/DC/USEPA/US@EPA, Sam Napolitano/DC/USEPA/US@EPA, Beth Craig/DC/USEPA/US@EPA, Kevin McLean/DC/USEPA/US@EPA, Sonja Rodman/DC/USEPA/US@EPA, Ragan Tate/DC/USEPA/US@EPA, Janet McCabe/DC/USEPA/US@EPA, Lorie Schmidt/DC/USEPA/US@EPA  
Cc: MatthewW Morrison/DC/USEPA/US@EPA, Gabrielle Stevens/DC/USEPA/US@EPA  
Date: 09/29/2011 05:42 PM  
Subject: Revisions to Transport Rule updated preamble draft

---

Hello Gina, Janet, Joe, Lorie, Beth, Sam, Kevin, Sonja, and Ragan,

Please find attached the updated Transport Rule Revisions preamble draft, in both a clean copy and a redline showing only the changes occurring since the Tuesday evening draft that Sam previously transmitted to OAR. I would like to underscore that OGC is continuing to review these changes "in live time" with this transmittal, and they have not yet seen some of the changes shown in this version.



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TR Revisions\_9-28\_CAMD\_540pm\_clean.doc

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Ex (b)(5) DPP



TR Revisions\_9-28\_CAMD\_540pm\_redline.doc

Sincerely,  
Jeb Stenhouse  
Clean Air Markets Division  
Environmental Protection Agency  
202-343-9781

EPA-160

Alex Barron/DC/USEPA/US

03/01/2012 07:01 AM

To "Michael Goo"

cc "Shannon Kenny", "Robin Kime"

bcc

Subject Fw: Palm Oil FOIAs

Peter Nagelhout

----- Original Message -----

**From:** Peter Nagelhout

**Sent:** 03/01/2012 06:12 AM EST

**To:** "Al McGartland" <mcartland.al@epa.gov>; Alex Barron

**Subject:** Fw: Palm Oil FOIAs

Fyi

Aaron Levy

----- Original Message -----

**From:** Aaron Levy

**Sent:** 02/29/2012 04:15 PM EST

**To:** Glenn Farber; Heather Klemick; Peter Nagelhout; Roberta Parry; Sarah Mazur; Tim Benner; Jeff Kodish; Natalie Firestine; Rebecca Dodder

**Cc:** Roland Dubois; Sharyn Lie

**Subject:** Palm Oil FOIAs

Hello EPA Work Group for the palm oil NODA:

Neste Oil US, Inc. and the Malaysian Palm Oil Council (MPOC) have filed two identical FOIA requests (attached) for information related to the Notice of Data Availability (NODA) concerning renewable transportation fuels from palm oil.

We have requested a new deadline of March 30, 2012. As such, I am asking each of you to search, **review and send your relevant records to me by March 15.**

**As the first order of business**, please review the guidance below and send me your best estimate of how many hours it will take you to search and review your records. Also, let me know if you will be unable to respond by March 15 given your other work assignments.

#### **Scope of the Request:**

The request has been clarified to include only records that are "directly relevant" to EPA's palm oil NODA. As such, **we are restricting our search to records dated between May 1, 2010 and December 14, 2012** (the date the NODA was signed). Documents that are already in the public domain (e.g., in the rulemaking docket) are also outside the scope of the request.

#### **Search:**

After you have indexed your Lotus Notes files, search for the term "palm." (At least I found that was sufficient.) If the word "palm" comes up in other contexts in your records then you may need to be more specific.

As the primary POC on the palm oil analysis, I am searching all of my records. To limit duplication, it probably makes sense for some of you to only search your sent folder (e.g., if I sent or copied you on all

of your palm oil-related records). I will defer to each of you to decide whether you are going to “search all” or just search in your sent folder.

I am coordinating the response from OAR. I would kindly ask the folks in OP, ORD and OECA to help me collect records from anyone in your office that is not on this email (i.e., not in the work group).

**Review:**

Please review your search results and sort them into “responsive” and “deliberative” piles. (You can disregard any search results that are irrelevant.) Most of the records will fall under the FOIA exemption concerning deliberative process privilege. **See the attached document for OGC guidance on what records are considered deliberative .**

**Collection:**

When you are done, give me all of your documents, including responsive and deliberative. Some of you may be familiar with using Lotus Note databases for FOIA collection, but that technology has yet to be invented in OTAQ. This being the case, you will need to give me paper copies. Those in DC can hand deliver or use inter-office mail. For folks in other locations, I will be happy to work with you to arrange delivery, probably by Fax.

Thanks for your help. Let me know if you have any questions.

Aaron Levy  
Transportation & Climate Division  
U.S. Environmental Protection Agency  
(202) 564-2993 | levy.aaron@epa.gov



HQ-FOI-00626-12 - Neste Palm.pdf HQ-FOI-00641-12 MPOC.pdf OGC FOIA Guidance - Unofficial.docx

WIF  
Ex (b)(5)  
DPP, ACP

EPA-168

Alex Barron/DC/USEPA/US

03/01/2012 02:41 PM

To Michael Goo

cc Paul Balserak, Barry Elman, Shannon Kenny

bcc

Subject Fw: Commercial Demonstration Permit Exemption Background

----- Forwarded by Alex Barron/DC/USEPA/US on 03/01/2012 02:41 PM -----

From: Peter Tsirigotis/RTP/USEPA/US  
To: "Barron, Alex" <Barron.Alex@epamail.epa.gov>  
Date: 03/01/2012 02:36 PM  
Subject: Fw: Commercial Demonstration Permit Exemption Background

Fyi. In case you don't know all this already.  
Christian Fellner

----- Original Message -----

From: Christian Fellner  
Sent: 03/01/2012 02:26 PM EST  
To: Peter Tsirigotis  
Subject: Re: Commercial Demonstration Permit Exemption Background

Peter,

(b) (5) (DPP)

-----  
Christian Fellner  
Energy Strategies Group  
Sector Policies and Programs Division  
Office of Air Quality Planning and Standards  
United States Environmental Protection Agency  
919.541.4003 (phone)  
919.541.5450 (fax)

Peter Tsirigotis

Thx christian. (b) (5) (DPP)

03/01/2012 02:21:29 PM

From: Peter Tsirigotis/RTP/USEPA/US  
To: Christian Fellner/RTP/USEPA/US@EPA  
Date: 03/01/2012 02:21 PM  
Subject: Re: Commercial Demonstration Permit Exemption Background

Thx christian. (b) (5) (DPP)

Christian Fellner

----- Original Message -----

From: Christian Fellner

**Sent:** 03/01/2012 02:17 PM EST

**To:** Peter Tsirigotis

**Subject:** Commercial Demonstration Permit Exemption Background

Peter,

(b) (5) (DPP) [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

(b) (5) (DPP)



---

Christian Fellner

Energy Strategies Group  
Sector Policies and Programs Division  
Office of Air Quality Planning and Standards  
United States Environmental Protection Agency  
919.541.4003 (phone)  
919.541.5450 (fax)

[attachment "Da 11 June 1979 Final Rule.pdf" deleted by Peter Tsirigotis/RTP/USEPA/US]  
[attachment "Da 19 September 1978 Original Proposal.pdf" deleted by Peter Tsirigotis/RTP/USEPA/US]  
[attachment "Db 16 December 1987 Promulgation SO2 PM.pdf" deleted by Peter  
Tsirigotis/RTP/USEPA/US]  
[attachment "Db 19 June 1986 Original Proposal SO2 PM (51 FR 22384).pdf" deleted by Peter  
Tsirigotis/RTP/USEPA/US]

EPA-173

Alex Barron/DC/USEPA/US

03/03/2012 06:15 PM

To "Michael Goo"

cc

bcc

Subject Fw: Communications package

Joseph Goffman

----- Original Message -----

**From:** Joseph Goffman

**Sent:** 03/03/2012 05:13 PM EST

**To:** Alex Barron

**Subject:** Fw: Communications package

In case these haven't made it to you by other channels ...  
Kevin Culligan

----- Original Message -----

**From:** Kevin Culligan

**Sent:** 03/02/2012 06:43 PM EST

**To:** Joseph Goffman

**Subject:** Communications package

They are a bit out of order because I updated with the latest q's.

External



Qs-CarbonPollutionStandards-Reorder- 3-2-12.docx

*Press release*

WIF

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3-2 NSPS release\_clean\_OAR.doc

WIF

Ex (b)(5) DPP

*Fact Sheet*



Fact Sheet\_CarbonPollutionStandards-DRAFT-030112\_AD.docx

WIF

Ex (b)(5) DPP

*Presentation*



Carbon Pollution Standards 030212.pptx

WIF

Ex (b)(5) DPP

Internal

*Rollout Plan and Tough Qs*





WIF  
Ex (b)(5) DPP

Rollout Plan Carbon Pollution Standards for New Power Plants3-1.docx

*General Qs (work in progress large section not finished on costs pending RIA updates)  
[attachment "Qs-CarbonPollutionStandards-Reorder- 3-1-12.docx" deleted by Kevin  
Culligan/DC/USEPA/US]*

---

Jackie Ashley  
Office of Air Quality Planning and Standards  
US EPA  
ashley.jackie@epa.gov  
919-541-7664

EPA-174

Alex Barron/DC/USEPA/US

03/04/2012 06:33 PM

To Joseph Goffman






cc Michael Goo

bcc

Subject Comms pkg

Here are some quick suggested edits to the materials. Happy to discuss any of these. (b)

(5)  
(D)  
PP)

WIF  
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Alex  - Carbon Pollution Standards 030212 arb.pptx  - Rollout Plan Carbon Pollution Standards  
for New Power Plants3-1 arb.docx  - Fact Sheet\_CarbonPollutionStandards-DRAFT-030112\_AD WIF  
arb.docx  - 3-2 NSPS release\_clean\_OAR arb.doc  - Qs-CarbonPollutionStandards-Reorder- WIF  
3-2-12 arb.docx Ex (b)(5) DPP Ex (b)(5) DPP

EPA-175

Alex Barron/DC/USEPA/US

03/05/2012 12:18 PM

To Michael Goo

cc Brendan Gilfillan, Shannon Kenny

bcc

**Subject** Existing sources text in latest version of preamble

Michael - for discussion, here's a sampling of the text from the preamble on existing sources. Brendan - I will give you a call to get your thoughts on how the existing source discussion is likely to play out.

page 3:

(b) (5) (DPP)

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(b) (5) (DPP)

EPA-176

Michael Goo/DC/USEPA/US

03/05/2012 12:48 PM


To Alex Barron

cc

bcc

Subject Re: Existing sources text in latest version of preamble

(b) (5) (DPP)



Alex Barron

----- Original Message -----

**From:** Alex Barron







**Sent:** 03/05/2012 12:18 PM EST

**To:** Michael Goo

**Cc:** Brendan Gilfillan; Shannon Kenny

**Subject:** Existing sources text in latest version of preamble

(b) (5) (DPP)



(b) (5) (DPP)

[REDACTED]

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EPA-178

Alex Barron/DC/USEPA/US

03/07/2012 05:47 PM

To Michael Goo

cc Shannon Kenny, Paul Balserak, Robin Kime

bcc

Subject draft existing Source TP's

Attached and pasted below is a rough start to how we might deal with existing source questions. If you approve, I assume you will pass along to brendan. There are obviously a whole host of things about existing sources that could be signaled more or less strongly and these will require buy-in from a lot of folks before implementation. (b) (5) (DPP)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

- (b) (5) (DPP)



Draft Exist Source Messaging 3 6 11 arb.docx

WIF

Ex (b)(5) DPP

EPA-179

Michael Goo/DC/USEPA/US

To Alex Barron

03/07/2012 09:51 PM

cc

bcc

Subject Re: For review tonight

Looks pretty good to me but I won't hit reply to all so as to not discourage further comments.  
Alex Barron

----- Original Message -----

**From:** Alex Barron

**Sent:** 03/07/2012 08:01 PM EST

**To:** Al McGartland; DavidA Evans; Alex Marten; Paul Balserak; Barry Elman

**Cc:** Shannon Kenny; Michael Goo

**Subject:** For review tonight

I wanted to get this down on paper, just to see what it looked like. If you have any thoughts on this, please send them tonight. (I will be at my work phone until 9 or so if anyone wants to discuss). I will try to collate the feedback before 9AM tomorrow.

(b) (5) (DPP)





EPA-181

**Alex Barron/DC/USEPA/US**

03/08/2012 05:32 PM

To Paul Balserak, Barry Elman, DavidA Evans, Alex Marten

cc Michael Goo, Shannon Kenny

bcc

Subject Fw: DRAFT text

FYI

----- Forwarded by Alex Barron/DC/USEPA/US on 03/08/2012 05:29 PM -----

From: Alex Barron/DC/USEPA/US  
To: Kevin Culligan/DC/USEPA/US@EPA  
Date: 03/08/2012 05:29 PM  
Subject: DRAFT text

---

As a starting point for TP's or other applications. Michael has not reviewed. Not all elements here are essential and all would need substantial review by many before use.

(b) (5) (DPP)



(b) (5) (DPP)



Happy to discuss.  
Alex

EPA-182

Alex Barron/DC/USEPA/US

03/08/2012 08:19 PM

To Michael Goo


cc Shannon Kenny

bcc

Subject Draft Exist Source Messaging

Attached and pasted are my crack at how we might talk about existing sources. Feel free to edit or pass along to Brendan.

(b) (5) (DPP)



-----  
(b) (5) (DPP)




(b) (5) (DPP) [Redacted]

[Redacted]

I [Redacted]

[Redacted]

I [Redacted]

EPA-183

Michael Goo/DC/USEPA/US

To Alex Barron

03/08/2012 09:21 PM

cc

bcc

Subject Re: Draft Exist Source Messaging

Ok thanks. Go home and eat your vietnamese dish.

Alex Barron

----- Original Message -----

**From:** Alex Barron

**Sent:** 03/08/2012 08:19 PM EST

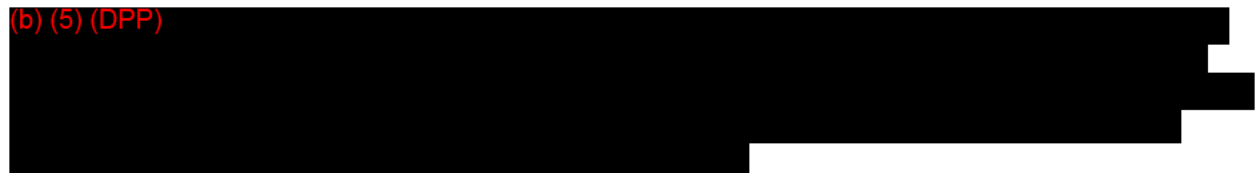
**To:** Michael Goo

**Cc:** Shannon Kenny

**Subject:** Draft Exist Source Messaging

Attached and pasted are my crack at how we might talk about existing sources. Feel free to edit or pass along to Brendan.

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(b) (5) (DPP)

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I [REDACTED]

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I [REDACTED]

EPA-185

Michael Goo/DC/USEPA/US  
03/09/2012 12:31 PM

To Alex Barron, Shannon Kenny  
cc  
bcc  
Subject Re: Draft Exist Source Messaging

Goo suggested revisions

(b) (5) (DPP)

[REDACTED]

[REDACTED]

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(b) (5) (DPP)

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

Alex Barron

Attached and pasted are my crack at h...

03/08/2012 08:19:38 PM

From: Alex Barron/DC/USEPA/US  
To: , Michael Goo/DC/USEPA/US@EPA  
Cc: Shannon Kenny/DC/USEPA/US@EPA  
Date: 03/08/2012 08:19 PM  
Subject: Draft Exist Source Messaging

Attached and pasted are my crack at how we might talk about existing sources. Feel free to edit or pass along to Brendan.

(b) (5) (DPP)

[REDACTED]

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EPA-186

Alex Barron/DC/USEPA/US

03/09/2012 12:54 PM

To Brendan Gilfillan

cc Michael Goo, Shannon Kenny

bcc

Subject Draft Exist source TPs

Here's the straw proposal, no oar input at this point. give me a ring to discuss.

(b) (5) (DPP)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(b)  
(5)  
(DPP  
)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



EPA-187

Alex Barron/DC/USEPA/US

03/09/2012 05:14 PM

To Michael Goo

cc Paul Balserak, Barry Elman, Shannon Kenny

bcc

Subject Fw: Transitional sources -- latest draft

----- Forwarded by Alex Barron/DC/USEPA/US on 03/09/2012 05:14 PM -----

From: Howard Hoffman/DC/USEPA/US  
To: Scott Fulton/DC/USEPA/US@EPA, Joel Beauvais/DC/USEPA/US@EPA, Patricia Embrey/DC/USEPA/US@EPA, Kevin McLean/DC/USEPA/US@EPA, Elliott Zenick/DC/USEPA/US@EPA, Joseph Goffman/DC/USEPA/US@EPA, Kevin Culligan/DC/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA  
Date: 03/09/2012 05:13 PM  
Subject: Transitional sources -- latest draft

---

Here's the latest draft. It incorporates suggestions from Joel, Elliott, Kevin C, and Alex.

There is still some work to do on this draft, some of which will be incorporating some more comments on the previous draft that I won't get until a bit later. Also, there's a legal issue that we're still working through, (b) (5) (DPP), (b) (5) (ACP)

[REDACTED]



EO 12866 EGU GHG NSPS proposal FR notice 03\_02\_12\_clean\_transitionals-revised-03-09-12.docx

Howard J. Hoffman EPA-OGC-ARLO  
(202) 564-5582 (v); -5603 (fax); (240) 401-9721 (cell)  
The contents of this e-mail and any attachments to it  
may be attorney-client or deliberative-process privileged.

WIF  
Ex (b)(5) DPP, ACP

EPA-188

Alex Barron/DC/USEPA/US

03/10/2012 01:10 PM

To "Michael Goo"

cc "Shannon Kenny", "Paul Balserak", "Barry Elman"

bcc

Subject Fw: revised -- Fw: Transitional sources -- latest draft

---

**From:** Scott Fulton

**Sent:** 03/10/2012 11:31 AM EST

**To:** Howard Hoffman

**Cc:** Alex Barron; Elliott Zenick; Joel Beauvais; Joseph Goffman; Kevin Culligan; Kevin Mclean; Nick Hutson; Patricia Embrey

**Subject:** Re: revised -- Fw: Transitional sources -- latest draft

Hi Folks -- I took a look at the clean version of the redraft. I thought it generally looked good, and am much appreciative of all the hard work that has gone into it. Please find attached a version that includes nits and nats (typo correction, etc.) but also a couple of proposed inserts (b) (5) (DPP), (b) (5) (ACP)

Thanks again for all the great work!

Scott

-----Howard Hoffman/DC/USEPA/US wrote: -----

To: Scott Fulton/DC/USEPA/US@EPA, Joel Beauvais/DC/USEPA/US@EPA, Patricia Embrey/DC/USEPA/US@EPA, Kevin McLean/DC/USEPA/US@EPA, Elliott Zenick/DC/USEPA/US@EPA, Joseph Goffman/DC/USEPA/US@EPA, Kevin Culligan/DC/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA, Nick Hutson/RTP/USEPA/US@EPA  
From: Howard Hoffman/DC/USEPA/US  
Date: 03/09/2012 09:30PM  
Subject: revised -- Fw: Transitional sources -- latest draft

Here's the next version of the transitionals draft. It includes comments from Patricia and a new legal argument (b) (5) (DPP), (b) (5) (ACP)

The main changes from the last draft are highlighted in yellow.

In this track changes draft, transitionals are on pp. 145-180 or so

(See attached file: EO 12866 EGU GHG NSPS proposal FR notice 03\_02\_12\_clean\_transitionals-revised-03-09-12\_7pm.docx)

Because the track changes draft is getting hard to read, here is a separate document with a clean version of the (b) (5) (DPP), (b) (5) (ACP) (with all of the track changes) accepted.

(See attached file: EO 12866 EGU GHG NSPS proposal FR notice 03\_02\_12\_clean\_transitionals-revised-03-09-12\_7pm\_clean.docx)

From my standpoint, it's a bit easier if you make changes on the track-changes draft, but if you prefer to do so on the clean version, that's OK.

Howard J. Hoffman EPA-OGC-ARLO

(202) 564-5582 (v); -5603 (fax); (240) 401-9721 (cell)

The contents of this e-mail and any attachments to it may be attorney-client or deliberative-process privileged.

----- Forwarded by Howard Hoffman/DC/USEPA/US on 03/09/2012 09:24 PM -----

From: Howard Hoffman/DC/USEPA/US

To: Scott Fulton/DC/USEPA/US@EPA, Joel Beauvais/DC/USEPA/US@EPA, Patricia Embrey/DC/USEPA/US@EPA, Kevin McLean/DC/USEPA/US@EPA, Elliott Zenick/DC/USEPA/US@EPA, Joseph Goffman/DC/USEPA/US@EPA, Kevin Culligan/DC/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA


Date: 03/09/2012 05:13 PM

Subject: Transitional sources -- latest draft

---

Here's the latest draft. It incorporates suggestions from Joel, Elliott, Kevin C, and Alex.

There is still some work to do on this draft, some of which will be incorporating some more comments on the previous draft that I won't get until a bit later. Also, there's a legal issue that we're still working through, (b) (5) (DPP), (b) (5) (ACP)



[attachment "EO 12866 EGU GHG NSPS proposal FR notice 03\_02\_12\_clean\_transitionals-revised-03-09-12.docx" deleted by Howard Hoffman/DC/USEPA/US]

Howard J. Hoffman EPA-OGC-ARLO

(202) 564-5582 (v); -5603 (fax); (240) 401-9721 (cell)

The contents of this e-mail and any attachments to it may be attorney-client or deliberative-process privileged.

[attachment "EO 12866 EGU GHG NSPS proposal FR notice 03\_02\_12\_clean\_transitionals-revised-03-09-12\_7pm.docx" removed by Scott Fulton/DC/USEPA/US]

[attachment "EO 12866 EGU GHG NSPS proposal FR notice 03\_02\_12\_clean\_transitionals-revised-03-09-12\_7pm\_clean.docx" removed by Scott Fulton/DC/USEPA/US]

EPA-189

Michael Goo/DC/USEPA/US

03/12/2012 01:39 PM

To "Alexander Barron"

cc

bcc

Subject Fw: NSPS release

Brendan Gilfillan

----- Original Message -----

**From:** Brendan Gilfillan

**Sent:** 03/12/2012 11:01 AM EDT

**To:** Bob Perciasepe; Michael Goo; Bob Sussman

**Subject:** NSPS release

Please note the language on (b) (5) (DPP) in the second to last graph.

**CONTACT:**

EPA Press Office

[press@epa.gov](mailto:press@epa.gov)

**FOR IMMEDIATE RELEASE**

March XX, 2012

(b) (5) (DPP)



(b) (5) (DPP)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

EPA-190

Michael Goo/DC/USEPA/US

To "Alexander Barron"

03/12/2012 01:43 PM

cc

bcc

Subject Fw: NSPS release

(b) (5) (DPP)

Brendan Gilfillan

----- Original Message -----

**From:** Brendan Gilfillan

**Sent:** 03/12/2012 11:01 AM EDT

**To:** Bob Perciasepe; Michael Goo; Bob Sussman

**Subject:** NSPS release

Please note the language on (b) (5) (DPP) in the second to last graph.

**CONTACT:**

EPA Press Office

[press@epa.gov](mailto:press@epa.gov)

**FOR IMMEDIATE RELEASE**

March XX, 2012

(b) (5) (DPP)

(b) (5) (DPP) [Redacted]

[Redacted]

[Redacted]

[Redacted]

EPA-193

Alex Barron/DC/USEPA/US  
03/13/2012 06:13 PM

To "Paul Balserak", "Michael Goo", "Shannon Kenny"  
cc "DavidA Evans", "Alex Marten"  
bcc  
Subject Fw: here is the combining categories language

Kevin Culligan

----- Original Message -----

**From:** Kevin Culligan  
**Sent:** 03/13/2012 06:08 PM EDT  
**To:** Alex Barron; Barry Elman  
**Cc:** Nick Hutson  
**Subject:** here is the combining categories language



combining categories language.docx

WIF  
Ex (b)(5) DPP



EPA-194

Alex Barron/DC/USEPA/US

03/14/2012 07:40 AM

To "Michael Goo"

cc "Shannon Kenny"

bcc

Subject Fyi

The updated ria is basically ready as of last night. There are a few things I want to fix if we haven't sent yet... (b) (5) (DPP)

A

Kevin Culligan

----- Original Message -----

**From:** Kevin Culligan

**Sent:** 03/13/2012 09:17 PM EDT

**To:** Amanda CurryBrown; Mikhail Adamantiades; Alex Barron

**Cc:** Ron Evans; Richard Haeuber

**Subject:** Thanks, this is what I'll be sending

I made one minor edit in 5 (english, not substantive). I know that you and a number of others have put in alot of work turning this around so quickly. Thank you. Hopefully it will pay off in helping us get it out of here.



0 EGU GHG NSPS Exec Summary 0313.docx

WIF

Ex (b)(5) DPP



1 EGU GHG NSPS Introduction 0313.docx

WIF

Ex (b)(5) DPP



2 EGU GHG NSPS Control Strategies 0313.docx

WIF

Ex (b)(5) DPP



3 EGU GHG NSPS Defining Climate Change Problem 0313.docx

WIF

Ex (b)(5) DPP



4 EGU GHG NSPS Electric Power Sector Profile 0313.docx

WIF

Ex (b)(5) DPP



5 EGU GHG NSPS Costs Benefits 0313 complete-v2.docx

WIF

Ex (b)(5) DPP



6 EGU GHG NSPS Executive Order 0313.docx

WIF

Ex (b)(5) DPP

EPA-195

Michael Goo/DC/USEPA/US

03/14/2012 08:20 AM

To Alex Barron

cc

bcc

Subject Re: Fyi

Thx

Alex Barron

----- Original Message -----

**From:** Alex Barron

**Sent:** 03/14/2012 07:40 AM EDT

**To:** Michael Goo

**Cc:** Shannon Kenny

**Subject:** Fyi

The updated ria is basically ready as of last night. There are a few things I want to fix if we haven't sent yet...  
(b) (5) (DPP)

A

Kevin Culligan

----- Original Message -----

**From:** Kevin Culligan

**Sent:** 03/13/2012 09:17 PM EDT

**To:** Amanda CurryBrown; Mikhail Adamantiades; Alex Barron

**Cc:** Ron Evans; Richard Haeuber

**Subject:** Thanks, this is what I'll be sending

I made one minor edit in 5 (english, not substantive). I know that you and a number of others have put in alot of work turning this around so quickly. Thank you. Hopefully it will pay off in helping us get it out of here.

[attachment "0 EGU GHG NSPS Exec Summary 0313.docx" deleted by Michael Goo/DC/USEPA/US]

[attachment "1 EGU GHG NSPS Introduction 0313.docx" deleted by Michael Goo/DC/USEPA/US]

[attachment "2 EGU GHG NSPS Control Strategies 0313.docx" deleted by Michael Goo/DC/USEPA/US]

[attachment "3 EGU GHG NSPS Defining Climate Change Problem 0313.docx" deleted by Michael Goo/DC/USEPA/US]

[attachment "4 EGU GHG NSPS Electric Power Sector Profile 0313.docx" deleted by Michael Goo/DC/USEPA/US]

[attachment "5 EGU GHG NSPS Costs Benefits 0313 complete-v2.docx" deleted by Michael Goo/DC/USEPA/US]

[attachment "6 EGU GHG NSPS Executive Order 0313.docx" deleted by Michael Goo/DC/USEPA/US]



EPA-198

Michael Goo/DC/USEPA/US

03/14/2012 06:43 PM

To Alex Barron

cc

bcc

Subject Fw: DC Boot Camp Information

I've agreed to host and speak to these students later in the month----check out their resumes, they seem like your kind of people more than mine. Maybe you might be interested in practicing your lecture skills.....I could do ten minutes and you could do ten minutes---Holmes will be ubiquitous in their program as this is her alma mater but we get the first crack....purely optional for you.....

----- Forwarded by Michael Goo/DC/USEPA/US on 03/14/2012 06:41 PM -----

From: "Wendy Millet" <mollie.field@stanford.edu>  
To: Michael Goo/DC/USEPA/US@EPA  
Date: 03/14/2012 01:23 PM  
Subject: DC Boot Camp Information

---

Michael,

Thank you for agreeing to speak at our upcoming Rising Environmental Leaders Program DC Boot Camp, March 26-30, 2012 in Washington DC. The purpose of this program is to

- Complement students' formal education with hands on, experiential learning
- Provide knowledge on opportunities to maximize research impact
- Build network of peers and partner
- Exposure to career tracks outside academia
- Instruct students on realities of policy design and implementation

Your presentation, Government Agencies, will be held at the Environmental Protection Agency, 1200 Pennsylvania Avenue, SW on Thursday, March 29 at 2:30:00 PM. We are looking forward to an interesting discussion with our Stanford students. We will provide a computer, LCD projector and screen for your use at the meeting. Should you require any additional equipment or supplies please let us know.

I have attached the agenda and the student bios for your information.

If you have any questions please don't hesitate to contact Fiona at [ftaft@stanford.edu](mailto:ftaft@stanford.edu) or Mollie [molliefield@stanford.edu](mailto:molliefield@stanford.edu)

Sincerely,

Wendy

Wendy Millet  
Programs Director Stanford Woods Institute for the Environment



Student Bios - DC Boot Camp final.pdf Agenda - DC Boot Camp.pdf

WIF Ex. 6  
Privacy

EPA-199

Alex Barron/DC/USEPA/US

03/14/2012 09:13 PM

To Michael Goo

cc

bcc

Subject Re:

Safe conventional wisdom has always been against climate action and for the totally disastrous status quo, which makes it a lousy excuse. It's our job to prove it wrong.

A

I also note the confident "insider" tone on the kxl approval.

Michael Goo

----- Original Message -----

**From:** Michael Goo

**Sent:** 03/14/2012 06:35 PM EDT

**To:** Alex Barron

## Energy Insiders Say Obama May Punt More Environmental Standards



AP Photo/Charlie Riedel, file

Sunflower Electric Cooperative's coal-fired power plant churns out electricity in February, 2007.

By [Olga Belogolova](#)

**Updated:** October 20, 2011 | 10:25 a m.

**September 13, 2011 | 9:35 p m.**

When President Obama shelved stricter environmental regulations for ground-level ozone until at least 2013, the administration said that delay was meant to alleviate regulatory pressures on a recovering economy. But former Vice President Al Gore accused Obama of “embracing” a scientifically outdated Bush-era environmental standard, and other critics said that the administration is caving to big polluters.

Many *National Journal* Energy and Environment Insiders say that President Obama's retreat on environmental issues isn't over yet.

Over half of Insiders responding said that Obama is likely to delay imposition of other new environmental regulations, with 15 percent calling the prospect "very likely" and 39 percent deeming it "somewhat likely."

"The only decision metric that matters for the next 14 months is, 'Will this help us get reelected?' " said one Insider. "If a regulatory decision is a liability, we should fully expect the administration to delay until Nov. 7" of 2012—the day after the presidential election.

Another Insider said that Obama "will likely pick and choose by delaying those rules his advisers believe are too politically damaging to pursue before 2013 and finalizing those that he can survive politically."

Other Insiders said they believed that Obama might back off more Environmental Protection Agency regulations now that he has argued they could be damaging to the economy.

"It is disturbing that he used the 'regulatory uncertainty' point when backing off the ozone rules, and that might be a sign that he's willing to back off other rules as well," another Insider said.

On Sept. 2, when Obama announced the decision to delay tighter ground-level ozone standards for at least two years, he cited the "importance of reducing regulatory burdens." In contrast, EPA Administrator Lisa Jackson and EPA air chief Gina McCarthy have repeatedly told Congress that regulations actually could help a struggling economy, citing studies that say environmental spending creates jobs.

One Insider said that Obama "can no longer claim the regulations help the economy," now that he has identified regulatory burdens as a potential issue for employers.

Nearly half of Insiders responding—46 percent—said they don't expect further retreat by the White House from EPA rules. And about half of those called further retreat "very unlikely," with some saying that the ground-level ozone decision actually gives Obama cover to move forward on other fronts.

"I don't think he can afford to do it" politically, one Insider said of any further moves that would anger environmentalists. "He already has his pro-business, political talking point for 2012 with the moves on ozone and Keystone," referring to the administration's tentative green light on the Keystone XL pipeline project, which would carry Canada's tar sands oil to Gulf Coast refineries.

Some lawmakers are set on their own fall agenda to target EPA regulations. Most Insiders said that the EPA's greenhouse-gas regulations will face the most congressional pushback.

EPA has been planning to issue the first-ever rules that would controlling carbon emissions from electricity-generating power plants by the end of September and for oil refineries by December.

Nearly 40 percent of Insiders expect congressional pushback.

The “GOP will target [greenhouse-gas] regulations next not because of economics but because of politics,” one Insider maintained.

## **How likely is it that Obama will retreat on more EPA rules?**

**(41 votes)**

- Very Likely 15%
- Somewhat Likely 39%
- Somewhat Unlikely 24%
- Very Unlikely 22%

### **Very Likely**

“Given his reasoning for delaying the smog rules, he can no longer claim the regulations help the economy. Since concern about jobs ranks ahead of desire for additional environmental regulation, he will have to back off some more.”

“Watch out for greenhouse-gas standards.”

“The president will likely pick and choose by delaying those rules his advisers believe are too politically damaging to pursue before 2013 and finalizing those that he can survive politically.”

### **Somewhat Likely**

“[Maximum Achievable Control Technology] and mountaintop mining are bedrock -- everything else is politics.”

“MACT rules will go forward. Protecting kids from air toxics enjoys strong public support. [Greenhouse-gas] regs and aspects of the transport rule are more vulnerable”

“Keep your eye out for movement on Florida water-quality standards and hopefully some more regs identified as crushing by job creators.”

“Maybe on greenhouse gases, but the line seems to be pretty firm on Cross-State and mercury.”

“We've gone from 'hope' and 'change' to hoping Obama doesn't change his mind again.”

“These decisions will become more likely as the economy struggles and the campaign rhetoric

ratchets up.”

### **Somewhat Unlikely**

“Setting new ozone standards were an unnecessary fight; sacrificing them allows EPA to protect primary initiatives.”

“The Cass Sunstein letter explaining the president's ozone decision made it clear that there is no wholesale backing down on EPA regulations. That said, if sufficient bipartisan support evolves on the Hill for a delay on any of these, it is now evident that [White House Chief of Staff William] Daley and Sunstein will take note and factor that in accordingly.”

“I think that the broad ozone rule was easier to 'retreat' on. I'm not expecting soft treatment for the utility sector in the upcoming mercury rule.”

### **Very Unlikely**

“By pulling the ozone rule, which of course he wasn't even required to do in the first place, Obama gave himself cover to try to push the rest of his regulatory agenda through.”

## **Which set of EPA rules will face the most pushback from Congress this fall?**

**(41 votes)**

- Greenhouse-Gas Regulations 39%
- Mercury Standards for Power Plants 17%
- The Cross-State Air Pollution Rule 12%
- Mercury Standards for Boilers 22%
- None of the Above 10%

### **Greenhouse-Gas Regulations**

“GHG rules, while not likely to actually require much, are too tempting a target for EPA critics.”

“GHG regulations are the only ones originating during Obama's term and on less sure footing. All others have been promulgated and litigated during successive administrations.”

“Tough choice between the GHG rules and the boiler rules--the first is a political football and the second has strong negative input from industry. It's such a political time that I'll go with the first.”

“It is easier for EPA to defend rules where they are under court order to produce rules, such as



toxics and cross-state air pollution--it should be awkward for Congress to argue EPA should simply ignore the courts and ignore the law.”

“Galileo and truth-telling scientists notwithstanding, the deniers will continue to whip this mule for all it's worth.”

“The GHG regs will be slowed by the administration itself, but MoC's will still rail against them for politics--the boiler rule is the most likely to actually have action taken because there is open Senate support in moderate places.”

“The climate deniers have taken over the GOP and will continue to try to block EPA from doing anything to curb greenhouse-gas pollution. Lisa Jackson will be looking more and more like Galileo.”

### **Mercury Standards for Power Plants**

“While all of the proposed/contemplated rules will get pushback, the utility toxics rule is seen to present the highest degree of harm to those covered by it. As such, the pushback on it will be the most vociferous.”

“Coal-state Democrats in the Senate will join forces with the Republicans to push back on EPA.”

### **Mercury Standards for Boilers**

“I think the delay in the EPA rule is just a political show that he is willing to compromise. I do not believe this will be a commonplace occurrence.”

“Reasons for pushback on each rule: Mercury standards for boilers (because they affect manufacturers), GHG rules (for symbolic value), utility MACT (because it will shut down old, dirty coal plants) and the cross-state air pollution rule (because of Texas pushback).”

“I think all will face push back from Congress. They're most likely to win on boilers because it has the broadest bipartisan support for delay. GHGs will be delayed by administrative issues, CSPR will likely face legal challenges, UMACT is probably the one they will take a stand on.”

### **None of the Above**

“While the House looks set to block EPA on all of these efforts, the fight will be in the Senate. Are there at least 13 Senate Democrats willing to directly challenge their president and his EPA administrator 12 to 14 months before an election? Will Leader [Harry] Reid even allow a vote on these rules? While there will be intense interest and pushback, these hurdles seem pretty high.”

EPA-202

Alex Barron/DC/USEPA/US

03/19/2012 12:33 PM

To Michael Goo

cc Robin Kime, Shannon Kenny

bcc

Subject Fw: EE talkers for AHRI?

I asked OAR for some numbers and factoids that you might want to use. See attached.

A

----- Forwarded by Alex Barron/DC/USEPA/US on 03/19/2012 12:32 PM -----

From: Joe Bryson/DC/USEPA/US  
To: Alex Barron/DC/USEPA/US@EPA  
Date: 03/19/2012 12:30 PM  
Subject: Re: Re: EE talkers for AHRI?

---

Alex,

Slightly revised below are some bullets you can work with for Michael Goo's talk to AHRI. I'm also attaching ENERGY STAR 20th Anniversary talking points in case they are of interest. You asked for any global #'s we might have. So, below is a little bit of info on the worldwide opportunity for GHG reductions in Buildings from IPCC 4th Assessment Report.

Joe

- Buildings (Commercial and Residential) are responsible for ~39% of U.S. CO2 emissions. Almost 2/3's of those emissions are from the indirect effects of electricity consumption. HVAC are responsible for ~40% of energy use in both C & R. When you add in hot water heating and commercial refrigeration more than 50% of energy use in buildings (R&C) is accounted for by equipment manufactured by AHRI members.
- Not surprisingly, these building end-uses (heating and cooling, hot water heating, and commercial refrigeration), also account for the lion's share of cost-effective energy savings potential: more than 70% of the potential in residential sector and approximately 40% in the commercial sector, according to both McKinsey (2009) and EPA's ENERGY STAR programs (commercial and residential).
- Focussing on something we all can relate to, the typical household spends more than \$2,200 a year on energy bills; about 50% of that goes to heating and cooling. The energy used in the average house can cause about two times as many greenhouse gas emissions as the average car. By simply making investments that pay for themselves (ENERGY STAR products and best practices for existing homes), homeowners can reduce their household energy costs by more than a third (> \$735), per year.
  - If just one household in 10 bought heating and cooling equipment that has earned the ENERGY STAR, we would reduce annual greenhouse gas emission by 13 billion pounds, the equivalent emissions from 1.2 million cars.
- AHRI and your members are long time and, obviously, essential partners in EPA's ENERGY STAR partnerships in the residential and commercial sectors, including product labeling.
  - SOMETHING MORE SPECIFIC HERE?
- AHRI members have been important partners in the ENERGY STAR products program since central air conditioners and heat pumps were first added to the program in 1995. In 2001, the addition of commercial refrigerators and freezers marked the beginning of a growing suite of ENERGY STAR

qualified commercial kitchen products.

- More recently, AHRI has played an important role in the transition to third party certification of ENERGY STAR products, offering their certification expertise across multiple products as a EPA-recognized Certification Body for purposes of ENERGY STAR qualification and verification.



20th Anniversary Talking Points\_FINAL\_ MAR 7 2012.doc

## IPCC, 4<sup>th</sup> Assessment Report Working Group III (2007)

- Chapter 6, Residential and Commercial Buildings
  - “The key conclusion of the chapter is that substantial reductions in CO2 emissions from energy use in buildings can be achieved over the coming years using mature technologies for energy efficiency that already exist widely and that have been successfully used (*high agreement, much evidence* ).
  - “Our survey of literature (80 studies) indicates that there is a global potential to reduce approximately 29% of the projected baseline emissions by 2020 cost-effectively [negative cost] in the residential and commercial sectors, the highest among all sectors studied in this report ( *high agreement, much evidence* ).”

Alex Barron      These look just about right. I don't kno...      03/15/2012 05:24:15 PM

From: Alex Barron/DC/USEPA/US  
To: Joe Bryson/DC/USEPA/US@EPA  
Date: 03/15/2012 05:24 PM  
Subject: Re: Re: EE talkers for AHRI?

These look just about right. I don't know if you have them but do you have a global number? Or any number about economic resources that could be recovered with EE (savings for commercial buildings, etc.) or a good HVAC EE anecdote?

A

Joe Bryson      Is this in the ballpark? Need to clean-up...      03/15/2012 05:11:03 PM

From: Joe Bryson/DC/USEPA/US  
To: Alex Barron/DC/USEPA/US@EPA  
Date: 03/15/2012 05:11 PM  
Subject: Re: Re: EE talkers for AHRI?

Is this in the ballpark?

Need to clean-up and add some specifics from our Program folks, but they're all out today at big annual

ENERGY STAR Awards event.

- Buildings (Commercial and Residential) are responsible for ~39% of U.S. CO2 emissions. Almost 2/3's of those emissions are from the indirect effects of electricity consumption. HVAC are responsible for ~40% of energy use in both C & R. When you add in hot water heating and commercial refrigeration more than 50% of energy use in buildings (R&C) is accounted for by equipment manufactured by AHRI members.
- Not surprisingly, these building end-uses (heating and cooling, hot water heating, and commercial refrigeration), also account for the lion's share of cost-effective energy savings potential: more than 70% of the potential in residential sector and approximately 40% in the commercial sector, according to both McKinsey (2009) and EPA's ENERGY STAR programs (commercial and residential).
- Focussing on something we all can relate to, the typical household spends more than \$2,200 a year on energy bills; about 50% of that goes to heating and cooling. The energy used in the average house can cause about two times as many greenhouse gas emissions as the average car. By simply making investments that pay for themselves (ENERGY STAR products and best practices for existing homes), homeowners can reduce their household energy costs by 20% (\$440) or more, per year.
- AHRI and your members are long time and, obviously, essential partners in EPA's ENERGY STAR partnerships in the residential and commercial sectors, including product labeling.

Alex Barron

Early next week for an initial cut would...

03/06/2012 10:21:13 PM

From: Alex Barron/DC/USEPA/US  
To: Joe Bryson/DC/USEPA/US@EPA  
Date: 03/06/2012 10:21 PM  
Subject: Re: Re: EE talkers for AHRI?

---

Early next week for an initial cut would be perfect. Just TP's, no slides. As I said, it's the AHRI people and the theme is the general policy outlook. Because of the crowd, he's like to be able to speak to the key role of and need for EE, opportunities in the HVAC sector, etc. The only other person on the panel that i recall is from NAM...

A

-----Joe Bryson/DC/USEPA/US wrote: -----

To: Alex Barron/DC/USEPA/US@EPA  
From: Joe Bryson/DC/USEPA/US  
Date: 03/06/2012 07:51PM  
Subject: Re: EE talkers for AHRI?

Sure. Just TP's? No slides?

When do you need them? End of next week? Any further background would help. I'll rough something out for you to react to ... Early next wk?

Alex Barron

----- Original Message -----

**From:** Alex Barron

**Sent:** 03/06/2012 06:04 PM EST

**To:** Joe Bryson

**Subject:** EE talkers for AHRI?

Joe - Michael Goo is going to be speaking to AHRI later this month (the 20th, I think). His talk will be very general (climate change, EPA and the need for EE are not going away). For that, he would love to have some talking points about the need for/benefits of EE, how much of energy use is buildings/HVAC, and whatever else you might think is useful. Do you think that you can pull something like that together?

Thanks,  
Alex

EPA-203

Michael Goo/DC/USEPA/US

03/19/2012 01:13 PM

To Alex Barron

cc

bcc

Subject Re: EE talkers for AHRI?

Thank you much.  
Alex Barron

----- Original Message -----

**From:** Alex Barron

**Sent:** 03/19/2012 12:33 PM EDT

**To:** Michael Goo

**Cc:** Robin Kime; Shannon Kenny

**Subject:** Fw: EE talkers for AHRI?

I asked OAR for some numbers and factoids that you might want to use. See attached.

A

----- Forwarded by Alex Barron/DC/USEPA/US on 03/19/2012 12:32 PM -----

From: Joe Bryson/DC/USEPA/US  
To: Alex Barron/DC/USEPA/US@EPA  
Date: 03/19/2012 12:30 PM  
Subject: Re: Re: EE talkers for AHRI?

---

Alex,

Slightly revised below are some bullets you can work with for Michael Goo's talk to AHRI. I'm also attaching ENERGY STAR 20th Anniversary talking points in case they are of interest. You asked for any global #'s we might have. So, below is a little bit of info on the worldwide opportunity for GHG reductions in Buildings from IPCC 4th Assessment Report.

Joe

- Buildings (Commercial and Residential) are responsible for ~39% of U.S. CO2 emissions. Almost 2/3's of those emissions are from the indirect effects of electricity consumption. HVAC are responsible for ~40% of energy use in both C & R. When you add in hot water heating and commercial refrigeration more than 50% of energy use in buildings (R&C) is accounted for by equipment manufactured by AHRI members.
- Not surprisingly, these building end-uses (heating and cooling, hot water heating, and commercial refrigeration), also account for the lion's share of cost-effective energy savings potential: more than 70% of the potential in residential sector and approximately 40% in the commercial sector, according to both McKinsey (2009) and EPA's ENERGY STAR programs (commercial and residential).
- Focussing on something we all can relate to, the typical household spends more than \$2,200 a year on energy bills; about 50% of that goes to heating and cooling. The energy used in the average house can cause about two times as many greenhouse gas emissions as the average car. By simply making investments that pay for themselves (ENERGY STAR products and best practices for existing homes), homeowners can reduce their household energy costs by more than a third (> \$735), per year.
  - If just one household in 10 bought heating and cooling equipment that has earned the ENERGY STAR, we would reduce annual greenhouse gas emission by 13 billion pounds, the

equivalent emissions from 1.2 million cars.

- AHRI and your members are long time and, obviously, essential partners in EPA's ENERGY STAR partnerships in the residential and commercial sectors, including product labeling.
  - SOMETHING MORE SPECIFIC HERE?
- AHRI members have been important partners in the ENERGY STAR products program since central air conditioners and heat pumps were first added to the program in 1995. In 2001, the addition of commercial refrigerators and freezers marked the beginning of a growing suite of ENERGY STAR qualified commercial kitchen products.
  - More recently, AHRI has played an important role in the transition to third party certification of ENERGY STAR products, offering their certification expertise across multiple products as a EPA-recognized Certification Body for purposes of ENERGY STAR qualification and verification.

[attachment "20th Anniversary Talking Points\_FINAL\_ MAR 7 2012.doc" deleted by Michael Goo/DC/USEPA/US]

## IPCC, 4<sup>th</sup> Assessment Report Working Group III (2007)

### 1 Chapter 6, Residential and Commercial Buildings

☞ "The key conclusion of the chapter is that substantial reductions in CO2 emissions from energy use in buildings can be achieved over the coming years using mature technologies for energy efficiency that already exist widely and that have been successfully used (**high agreement, much evidence** ).

☞ "Our survey of literature (80 studies) indicates that there is a global potential to reduce approximately 29% of the projected baseline emissions by 2020 cost-effectively [negative cost] in the residential and commercial sectors, the highest among all sectors studied in this report (**high agreement, much evidence** )."

Alex Barron

These look just about right. I don't kno...

03/15/2012 05:24:15 PM

From: Alex Barron/DC/USEPA/US  
To: Joe Bryson/DC/USEPA/US@EPA  
Date: 03/15/2012 05:24 PM  
Subject: Re: Re: EE talkers for AHRI?

These look just about right. I don't know if you have them but do you have a global number? Or any number about economic resources that could be recovered with EE (savings for commercial buildings, etc.) or a good HVAC EE anecdote?

A

Joe Bryson      [Is this in the ballpark? Need to clean-up...](#)      03/15/2012 05:11:03 PM

From: Joe Bryson/DC/USEPA/US  
To: Alex Barron/DC/USEPA/US@EPA  
Date: 03/15/2012 05:11 PM  
Subject: Re: Re: EE talkers for AHRI?

---

Is this in the ballpark?

Need to clean-up and add some specifics from our Program folks, but they're all out today at big annual ENERGY STAR Awards event.

- Buildings (Commercial and Residential) are responsible for ~39% of U.S. CO2 emissions. Almost 2/3's of those emissions are from the indirect effects of electricity consumption. HVAC are responsible for ~40% of energy use in both C & R. When you add in hot water heating and commercial refrigeration more than 50% of energy use in buildings (R&C) is accounted for by equipment manufactured by AHRI members.
- Not surprisingly, these building end-uses (heating and cooling, hot water heating, and commercial refrigeration), also account for the lion's share of cost-effective energy savings potential: more than 70% of the potential in residential sector and approximately 40% in the commercial sector, according to both McKinsey (2009) and EPA's ENERGY STAR programs (commercial and residential).
- Focussing on something we all can relate to, the typical household spends more than \$2,200 a year on energy bills; about 50% of that goes to heating and cooling. The energy used in the average house can cause about two times as many greenhouse gas emissions as the average car. By simply making investments that pay for themselves (ENERGY STAR products and best practices for existing homes), homeowners can reduce their household energy costs by 20% (\$440) or more, per year.
- AHRI and your members are long time and, obviously, essential partners in EPA's ENERGY STAR partnerships in the residential and commercial sectors, including product labeling.

Alex Barron      [Early next week for an initial cut would...](#)      03/06/2012 10:21:13 PM

From: Alex Barron/DC/USEPA/US  
To: Joe Bryson/DC/USEPA/US@EPA  
Date: 03/06/2012 10:21 PM  
Subject: Re: Re: EE talkers for AHRI?

---

Early next week for an initial cut would be perfect. Just TP's, no slides. As I said, it's the AHRI people and the theme is the general policy outlook. Because of the crowd, he's like to be able to speak to the key role of and need for EE, opportunities in the HVAC sector, etc. The only other person on the panel that i recall is from NAM...

A



-----Joe Bryson/DC/USEPA/US wrote: -----

To: Alex Barron/DC/USEPA/US@EPA  
From: Joe Bryson/DC/USEPA/US  
Date: 03/06/2012 07:51PM  
Subject: Re: EE talkers for AHRI?

Sure. Just TP's? No slides?

When do you need them? End of next week? Any further background would help. I'll rough something out for you to react to ... Early next wk?

Alex Barron

----- Original Message -----

**From:** Alex Barron

**Sent:** 03/06/2012 06:04 PM EST

**To:** Joe Bryson

**Subject:** EE talkers for AHRI?

Joe - Michael Goo is going to be speaking to AHRI later this month (the 20th, I think). His talk will be very general (climate change, EPA and the need for EE are not going away). For that, he would love to have some talking points about the need for/benefits of EE, how much of energy use is buildings/HVAC, and whatever else you might think is useful. Do you think that you can pull something like that together?

Thanks,  
Alex

EPA-204

Alex Barron/DC/USEPA/US

03/20/2012 01:24 PM

To Al McGartland, Michael Goo, Shannon Kenny

cc

bcc

Subject Fw: Gasoline Regulations Act

Close hold. (b) (5) deliberative

A

----- Forwarded by Alex Barron/DC/USEPA/US on 03/20/2012 01:18 PM -----

From: Diann Frantz/DC/USEPA/US  
To: Joel Beauvais/DC/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA  
Date: 03/20/2012 12:14 PM  
Subject: Fw: Gasoline Regulations Act

---

Thought you might be interested.

Diann Frantz  
Congressional Liaison  
Office of Congressional Affairs  
U.S. Environmental Protection Agency  
(p)202-564-3668

----- Forwarded by Diann Frantz/DC/USEPA/US on 03/20/2012 12:14 PM -----

From: "Brown, Maryam" <Maryam.Brown@mail.house.gov>  
To: Diann Frantz/DC/USEPA/US@EPA  
Date: 03/20/2012 12:02 PM  
Subject: Gasoline Regulations Act

---

Diann- As discussed, this is the legislative language that next week's hearing will focus on. Please note that we have not made this Discussion Draft public yet (we will when we notice the hearing later today/tomorrow), and therefore, we ask that you hold close and use internally for only Ms. McCarthy's



preparation. GAS-PRICES\_01\_xml.pdf

EPA-210

Michael Goo/DC/USEPA/US

03/21/2012 06:44 PM

To Alex Barron

cc

bcc

Subject ceg statmeent

*We continue to believe federal legislation is the most effective tool to create a long-term price signal to reduce greenhouse gas (GHG) emissions. However, we are committed to working constructively with EPA and other stakeholders on policies that encourage the reduction of GHG emissions from the electric generating sector. We do not anticipate that the proposed GHG performance standards for new sources will directly affect our members' investment plans. Further, based on our review of recent projections by the U.S. Energy Information Administration and current market dynamics, it does not appear that the proposed GHG performance standards for new sources will significantly impact planned new construction.*

EPA-216

Alex Barron/DC/USEPA/US

03/21/2012 09:35 PM

To Lesley Schaaff, Paul Balserak

cc Al McGartland, Michael Goo, Shannon Kenny

bcc

Subject Reg update

Here's a crack at this. Michael may only want to send some items...

Al - I sent peter the T3 info seperately, we can update in the AM.

Paul - anything to add on 316b about feedback from omb or outstanding issues? Or suggested adds on NSPS?



EPA Tier 3 letter 2.17.2012.pdf Reg Status Update 3 22 12 ab.docx

WIF

Ex (b)(5) DPP

EPA-220

Alex Barron/DC/USEPA/US

03/22/2012 11:08 AM

To Michael Goo

cc Robin Kime, Shannon Kenny

bcc

Subject Update materials.



OUTLOOK MEETING final Jan 2012. with dates.docx

WIF

Ex (b)(5) DPP



O&G API Oil and Gas Study INTERNAL EPA Response 3.21.12.docx Reg Status Update 3 22 12 ab v2.docx



WIF

Ex (b)(5) DPP

WIF

Ex (b)(5) DPP

EPA-225

Alex Barron/DC/USEPA/US

03/22/2012 02:42 PM

To Robin Kime

cc Michael Goo

bcc

Subject Reg Status Update 3 22 12 ab v3.docx

Can we still get this minor tweaks into the book? They're not show stoppers, but it would nice to be responsive to Gina's request.



- Reg Status Update 3 22 12 ab v3.docx

WIF

Ex (b)(5) DPP

EPA-227

Alex Barron/DC/USEPA/US

03/22/2012 04:05 PM

To Joseph Goffman

cc Kevin Culligan, Peter Tsirigotis, Howard Hoffman, Michael Goo

bcc

Subject Fw: Updated GHG NSPS language

Joe - I made one very soft edit that reflects the fact that (b) (5) (DPP)

If you think that would fly, that would be great.


A

----- Forwarded by Alex Barron/DC/USEPA/US on 03/22/2012 02:54 PM -----

(b) (5) (DPP)

[REDACTED]

(b) (5) (DPP)





EPA-232

Alex Barron/DC/USEPA/US

03/23/2012 01:26 PM

To Michael Goo

cc Paul Balserak, Barry Elman

bcc

Subject Fw: are you good with the following?

This is OAR's proposed fix on a tricky bit. I think that it is probably safe, but will yield to OGC.

A

----- Forwarded by Alex Barron/DC/USEPA/US on 03/23/2012 01:25 PM -----

From: Kevin Culligan/DC/USEPA/US  
To: Alex Barron/DC/USEPA/US@EPA  
Date: 03/23/2012 01:23 PM  
Subject: are you good with the following?

---

----- Forwarded by Kevin Culligan/DC/USEPA/US on 03/23/2012 01:23 PM -----

From: Howard Hoffman/DC/USEPA/US  
To: Kevin Culligan/DC/USEPA/US@EPA  
Cc: Joseph Goffman/DC/USEPA/US@EPA, Peter Tsirigotis/RTP/USEPA/US@EPA  
Date: 03/23/2012 12:43 PM  
Subject: Re: see new text (in bold) taking comment

---

(b) (5) (DPP), (b) (5) (ACP)

[REDACTED]

Howard J. Hoffman EPA-OGC-ARLO  
(202) 564-5582 (v); -5603 (fax); (240) 401-9721 (cell)  
The contents of this e-mail and any attachments to it  
may be attorney-client or deliberative-process privileged.

Kevin Culligan

(b) (5) (ACP), (b) (5) (DPP)

03/23/2012 12:22:27 PM

From: Kevin Culligan/DC/USEPA/US  
To: Joseph Goffman/DC/USEPA/US@EPA  
Cc: Peter Tsirigotis/RTP/USEPA/US@EPA, Howard Hoffman/DC/USEPA/US@EPA  
Date: 03/23/2012 12:22 PM  
Subject: see new text (in bold) taking comment

---

(b) (5) (DPP), (b) (5) (ACP)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(b) (5) (DPP), (b) (5) (ACP)

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EPA-236

Alex Barron/DC/USEPA/US

03/23/2012 06:28 PM

To Laura Vaught, Lorie Schmidt

cc Michael Goo, Shannon Kenny

bcc

Subject EGU Cliff Notes

This represents snippets from key portions of the RIA and preamble that I thought might be of interest. I pulled it together VERY QUICKLY so apologies for any formatting glitches but I figured 9 pages was less intimidating than the 250 page rule plus the RIA.

I am also attaching an EDF fact sheet that may be of interest (not sure if it is public yet).

Have great weekends.

A



State GHG standards (3 13 2012).pdf



EGU NSPS Key sections NOT FINAL 3 23 12.docx

WIF

Ex (b)(5) DPP

EPA-238

Alex Barron/DC/USEPA/US

03/25/2012 06:43 PM

To: Andrea Drinkard

cc: John Millett, Joseph Goffman, Michael Goo

bcc:

Subject: Re: Fw: NSPS Comms Docs FULL SET

Andrea et alia - Thanks for the chance to look these over quickly. (b) (5) (DPP)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Other edits should be fairly self explanatory or have a note. Happy to clarify if needed.

Alex

-----Andrea Drinkard/DC/USEPA/US wrote: -----

To: Andrea Drinkard/DC/USEPA/US@EPA

From: Andrea Drinkard/DC/USEPA/US

Date: 03/25/2012 11:55AM

Cc: Alex Barron/DC/USEPA/US@EPA, John Millett/DC/USEPA/US@EPA, Joseph Goffman/DC/USEPA/US@EPA, Michael Goo/DC/USEPA/US@EPA

Subject: Re: Fw: NSPS Comms Docs FULL SET

(See attached file: Qs-CarbonPollutionStandards-DRAFT 3-22-12.docx)

(See attached file: Carbon Pollution Standards 032212.pptx)

Added the full set of Q&As and the presentation to the attachment list below.

Note that the two fact sheets, the press release and the presentation will be external docs. The rest are internal.

Andrea Drinkard

U.S. Environmental Protection Agency  
Office of Air and Radiation  
Email: drinkard.andrea@epa.gov  
Phone: 202.564.1601  
Cell: 202.236.7765

-----Andrea Drinkard/DC/USEPA/US wrote: -----

To: Joseph Goffman/DC/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA, Michael Goo/DC/USEPA/US@EPA, John Millett/DC/USEPA/US@EPA  
From: Andrea Drinkard/DC/USEPA/US  
Date: 03/25/2012 11:28AM  
Subject: Fw: NSPS

(See attached file: Climate Change Science Fact Sheet 3-23GINA.docx)  
(See attached file: Fact Sheet\_CarbonPollutionStandards-DRAFT-03-23-12.docx)  
(See attached file: Tick Tock3-2.docx)  
(See attached file: Top 6 Tough Q.docx)  
(See attached file: 3-23 NSPS release.doc)

Hi Joe/Alex,

Please find attached the current versions of the comm materials for the NSPS roll-out. I am attaching the press release in RLSO because Brendan is still looking at the changes noted.




If you have tweaks or comments send them my way and I'll incorporate them.

I'm also trying to track down electronic versions of the full set of Q&As and the presentation. As soon as I get those, I'll send them your way.

Thanks!

-Andrea-

Andrea Drinkard  
U.S. Environmental Protection Agency  
Office of Air and Radiation  
Email: drinkard.andrea@epa.gov  
Phone: 202.564.1601

Cell: 202.236.7765  - qs-carbonpollutionstandards-draft 3-22-12 ab.docx  - fact sheet\_carbonpollutionstandards-draft-03-23-12 ab.docx  - 3-25 nsps releaseupdated ab.doc

WIF  
Ex (b)(5) DPP

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Ex (b)(5) DPP

EPA-239

Alex Barron/DC/USEPA/US

03/25/2012 07:53 PM

To: Andrea Drinkard, Joseph Goffman

cc: Brendan Gilfillan, Gina McCarthy, Janet McCabe, John Millett, Michael Goo, Peter Tsirigotis

bcc:

Subject: Re: Re: NSPS Press Release UPDATED

(b) (5) (DPP)

Happy to discuss

A

---

**From:** Andrea Drinkard

**Sent:** 03/25/2012 07:39 PM EDT

**To:** Joseph Goffman

**Cc:** Alex Barron; Brendan Gilfillan; Gina McCarthy; Janet McCabe; John Millett; Michael Goo; Peter Tsirigotis

**Subject:** Re: Re: NSPS Press Release UPDATED

Thanks, Joe and Gina! Will work these changes in: (b) (5) (DPP)

. Alex flagged this in his review and wanted to get everyone's take. He suggested the following sentence:

(b) (5) (DPP)

Alex, correct me if I changed something I shouldn't have.

Thanks!

Andrea Drinkard  
U.S. Environmental Protection Agency  
Office of Air and Radiation  
Email: drinkard.andrea@epa.gov  
Phone: 202.564.1601  
Cell: 202.236.7765

-----Joseph Goffman/DC/USEPA/US wrote: -----

To: Gina McCarthy/DC/USEPA/US@EPA, Andrea Drinkard/DC/USEPA/US@EPA

From: Joseph Goffman/DC/USEPA/US

Date: 03/25/2012 07:26PM

Cc: Alex Barron/DC/USEPA/US@EPA, Brendan Gilfillan/DC/USEPA/US@EPA, John Millett/DC/USEPA/US@EPA, Michael Goo/DC/USEPA/US@EPA, Peter Tsirigotis/RTP/USEPA/US@EPA, Janet McCabe/DC/USEPA/US@EPA

Subject: Re: NSPS Press Release UPDATED

(b) (5) (DPP)

Thanks.

Gina McCarthy

----- Original Message -----

**From:** Gina McCarthy

**Sent:** 03/25/2012 07:15 PM EDT

**To:** Andrea Drinkard

**Cc:** Alex Barron; Brendan Gilfillan; John Millett; Joseph Goffman; Michael Goo; Peter Tsirigotis; Janet McCabe

**Subject:** Re: NSPS Press Release UPDATED

Andrea - attached are a few suggested revisions. Some are a bit wonky. (b) (5) (DPP)

The revisions reflect that. See what you think.

[attachment "EGU NSPS.doc" deleted by Joseph Goffman/DC/USEPA/US]

Andrea Drinkard---03/25/2012 03:33:30 PM---Hi all-- Here's where Brendan and I landed. Please let me know if you have any comments or questions

From: Andrea Drinkard/DC/USEPA/US

To: Gina McCarthy/DC/USEPA/US@EPA, Joseph Goffman/DC/USEPA/US@EPA, Brendan Gilfillan/DC/USEPA/US@EPA, John Millett/DC/USEPA/US@EPA, Michael Goo/DC/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA

Date: 03/25/2012 03:33 PM

Subject: NSPS Press Release UPDATED

Hi all--

Here's where Brendan and I landed. Please let me know if you have any comments or questions.

-Andrea-

Andrea Drinkard

U.S. Environmental Protection Agency

Office of Air and Radiation

Email: drinkard.andrea@epa.gov

Phone: 202.564.1601

Cell: 202.236.7765

[attachment "3-25 NSPS releaseUPDATED.doc" deleted by Joseph Goffman/DC/USEPA/US]

EPA-241

Michael Goo/DC/USEPA/US

03/26/2012 01:22 PM

To barron.alexander

cc

bcc

Subject Fw: any thoughts on this language?

(b) (5) (DPP)

Brendan Gilfillan

----- Original Message -----

**From:** Brendan Gilfillan

**Sent:** 03/26/2012 01:17 PM EDT

**To:** Alex Barron; Michael Goo

**Subject:** any thoughts on this language?

(b) (5) (DPP)



EPA-242

Michael Goo/DC/USEPA/US

03/26/2012 01:23 PM

To barron.alex

cc

bcc

Subject Fw: any thoughts on this language?

Michael Goo

----- Original Message -----

**From:** Michael Goo

**Sent:** 03/26/2012 01:22 PM EDT

**To:** barron.alexander@epa.gov

**Subject:** Fw: any thoughts on this language?

(b) (5) (DPP)

Brendan Gilfillan

----- Original Message -----

**From:** Brendan Gilfillan

**Sent:** 03/26/2012 01:17 PM EDT

**To:** Alex Barron; Michael Goo

**Subject:** any thoughts on this language?

(b) (5) (DPP)

EPA-243

Alex Barron/DC/USEPA/US

03/26/2012 02:02 PM

To Brendan Gilfillan

cc Michael Goo, Al McGartland

bcc

Subject Cost text

For context here is what we say in the preamble (as of today, anyway):

(b) (5) (DPP)



EPA-244

Alex Barron/DC/USEPA/US

03/26/2012 05:44 PM

To "Michael Goo"

cc "Shannon Kenny"

bcc

Subject Fw: Current NSPS draft

Michael Moats

----- Original Message -----

**From:** Michael Moats

**Sent:** 03/26/2012 05:44 PM EDT

**To:** Brendan Gilfillan; Stephanie Epner; Andrea Drinkard; Alex Barron;  
Joseph Goffman

**Subject:** Current NSPS draft

This is where we are at with the draft as of 5:45 pm Monday.



20120327 NSPS Press Call (2).docx

WIF

Ex (b)(5) DPP

-----

Michael Moats

Chief Speechwriter

US EPA | Office of the Administrator

Office: 202-564-1687

Mobile: 202-527-4436

EPA-246

Alex Barron/DC/USEPA/US

03/26/2012 07:48 PM

To "Michael Goo"

cc

bcc

Subject Fw: Current NSPS draft

Andrea Drinkard

----- Original Message -----

**From:** Andrea Drinkard

**Sent:** 03/26/2012 07:16 PM EDT

**To:** Michael Moats

**Cc:** Alex Barron; Brendan Gilfillan; Joseph Goffman; Stephanie Epner

**Subject:** Re: Current NSPS draft

For reference, here's what I've done with Gina's talkers. Folks, including Gina, will be looking at these tonight, so there may be changes.



20120327 NSPS Stakeholder Call - UPDATED.docx

Andrea Drinkard

U.S. Environmental Protection Agency

Office of Air and Radiation

Email: drinkard.andrea@epa.gov

Phone: 202.564.1601

Cell: 202.236.7765

WIF

Ex (b)(5) DPP

Michael Moats

This is where we are at with the draft as...

03/26/2012 05:43:21 PM

**From:** Michael Moats/DC/USEPA/US

**To:** Brendan Gilfillan/DC/USEPA/US@EPA, Stephanie Epner/DC/USEPA/US@EPA, Andrea Drinkard/DC/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA, Joseph Goffman/DC/USEPA/US@EPA

**Date:** 03/26/2012 05:43 PM

**Subject:** Current NSPS draft

This is where we are at with the draft as of 5:45 pm Monday.



20120327 NSPS Press Call (2).docx

WIF

Ex (b)(5) DPP

-----

Michael Moats

Chief Speechwriter

US EPA | Office of the Administrator

Office: 202-564-1687

Mobile: 202-527-4436

EPA-250

**Alex Barron/DC/USEPA/US**

03/26/2012 10:51 PM

To Michael Goo

cc

bcc

Subject Re: Bloomberg story

File under problems that could have been avoided...

A

Michael Goo

----- Original Message -----

**From:** Michael Goo

**Sent:** 03/26/2012 10:46 PM EDT

**To:** Brendan Gilfillan; barron.alex@epa.gov

**Subject:** Bloomberg story

Oh great. See Michael Brune quote.

<http://mobile.bloomberg.com/news/2012-03-26/epa-said-to-be-close-to-tightening-u-s-greenhouse-gas-limits.html>

EPA-251

Michael Goo/DC/USEPA/US

03/26/2012 11:26 PM

To barron.alex

cc

bcc

Subject Fw: EPA hits greenhouse gas emissions from power plants

Now Doniger will be happy.

---

**From:** POLITICO Pro [politicoemail@politicopro.com]

**Sent:** 03/26/2012 11:18 PM AST

**To:** Michael Goo

**Subject:** EPA hits greenhouse gas emissions from power plants

## **EPA hits greenhouse gas emissions from power plants**

By Erica Martinson

3/26/12 11:16 PM EDT

The Obama administration is moving ahead with its greenhouse gas rule for new power plants, a regulation that promises to shift the future of U.S. power generation.

EPA will announce the rule Tuesday, a senior administration official confirmed to POLITICO.

The proposed regulation in essence means that new coal-fired power plants will have to capture their carbon dioxide emissions — either for storage or, in many cases, to send the CO<sub>2</sub> to oil and gas drilling operations where it can be used to help extract fossil fuels.

The rule will have a phase-in period, sources knowledgeable of the rule say, so that coal plants that are ready to build may move forward.

But beyond that, the rule means that coal-fired power plants as they exist now will not be built in the future.

The standard will generally require that new power plants emit CO<sub>2</sub> at a rate no greater than that of a natural-gas-fired power plant. Such plants emit about 60 percent less greenhouse gases than coal plants.

The only coal plant to break ground during the Obama administration is a carbon capture and sequestration plant — Southern Co.'s Kemper County plant in Mississippi.

Supporters of the policy say the EPA is simply locking in the current market forces that heavily favor the construction of natural gas facilities, and providing a certain path for utility investors.

“It shows that the future of electricity is in adopting low polluting, climate smart technologies,”

said Joe Mendelson, director of global warming policy at the National Wildlife Federation.

The rule “reinforces what most power company executives and investors already understand — that if and when new coal plants make a comeback, they will need to be designed with carbon capture and storage,” said David Doniger, a senior attorney for the Natural Resources Defense Council.

And supporters say it takes a necessary step to combat the dangers of climate pollution.

“Carbon pollution ... causes more severe heat waves and smog pollution, which trigger more asthma attacks and other serious respiratory illnesses. It contributes to increasingly extreme weather, including more devastating storms and floods and other threats to life, limb, and property,” Doniger said.

Critics argue that the rule is evidence that the Obama administration’s “all of the above” energy policy does not include coal, and charge that the rule will only drive up the cost of electricity.

“Despite an economic recession, an unacceptable unemployment rate and families that are struggling against escalating energy costs, the EPA is once again pushing for expensive new rules,” said Evan Tracey, senior vice president for communications at the American Coalition for Clean Coal Electricity, last month after 221 members of the House asked the Obama administration to halt the regulation.

To read and comment online:

<https://www.politicopro.com/go/?id=10328>

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EPA-252

Alex Barron/DC/USEPA/US

03/26/2012 11:31 PM

To Michael Goo

cc

bcc

Subject Re: EPA hits greenhouse gas emissions from power plants

Hopefully there will be some fact checking when industry says this rule is expensive...

A

---

**From:** Michael Goo

**Sent:** 03/26/2012 11:26 PM EDT

**To:** barron.alex@epa.gov

**Subject:** Fw: EPA hits greenhouse gas emissions from power plants

Now Doniger will be happy.

---

**From:** POLITICO Pro [politicoemail@politicopro.com]

**Sent:** 03/26/2012 11:18 PM AST

**To:** Michael Goo

**Subject:** EPA hits greenhouse gas emissions from power plants

## **EPA hits greenhouse gas emissions from power plants**

By Erica Martinson

3/26/12 11:16 PM EDT

The Obama administration is moving ahead with its greenhouse gas rule for new power plants, a regulation that promises to shift the future of U.S. power generation.

EPA will announce the rule Tuesday, a senior administration official confirmed to POLITICO.

The proposed regulation in essence means that new coal-fired power plants will have to capture their carbon dioxide emissions — either for storage or, in many cases, to send the CO<sub>2</sub> to oil and gas drilling operations where it can be used to help extract fossil fuels.

The rule will have a phase-in period, sources knowledgeable of the rule say, so that coal plants that are ready to build may move forward.

But beyond that, the rule means that coal-fired power plants as they exist now will not be built in the future.

The standard will generally require that new power plants emit CO<sub>2</sub> at a rate no greater than that of a natural-gas-fired power plant. Such plants emit about 60 percent less greenhouse gases than



coal plants.

The only coal plant to break ground during the Obama administration is a carbon capture and sequestration plant — Southern Co.'s Kemper County plant in Mississippi.

Supporters of the policy say the EPA is simply locking in the current market forces that heavily favor the construction of natural gas facilities, and providing a certain path for utility investors.

“It shows that the future of electricity is in adopting low polluting, climate smart technologies,” said Joe Mendelson, director of global warming policy at the National Wildlife Federation.

The rule “reinforces what most power company executives and investors already understand — that if and when new coal plants make a comeback, they will need to be designed with carbon capture and storage,” said David Doniger, a senior attorney for the Natural Resources Defense Council.

And supporters say it takes a necessary step to combat the dangers of climate pollution.

“Carbon pollution ... causes more severe heat waves and smog pollution, which trigger more asthma attacks and other serious respiratory illnesses. It contributes to increasingly extreme weather, including more devastating storms and floods and other threats to life, limb, and property,” Doniger said.

Critics argue that the rule is evidence that the Obama administration’s “all of the above” energy policy does not include coal, and charge that the rule will only drive up the cost of electricity.

“Despite an economic recession, an unacceptable unemployment rate and families that are struggling against escalating energy costs, the EPA is once again pushing for expensive new rules,” said Evan Tracey, senior vice president for communications at the American Coalition for Clean Coal Electricity, last month after 221 members of the House asked the Obama administration to halt the regulation.

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EPA-253

**Alex Barron/DC/USEPA/US**  
03/27/2012 08:59 AM

To Paul Balserak, Barry Elman, DavidA Evans, Alex Marten  
cc Michael Goo, Shannon Kenny  
bcc  
Subject NSPS release and fact sheet

Let me know if you see any major must-fix issues in the fact sheet...

A

----- Forwarded by Alex Barron/DC/USEPA/US on 03/27/2012 08:57 AM -----

From: Brendan Gilfillan/DC/USEPA/US  
To: Arvin Ganesan/DC/USEPA/US@EPA, Laura Vaught/DC/USEPA/US@EPA, Gina McCarthy/DC/USEPA/US@EPA, Joseph Goffman/DC/USEPA/US@EPA, Stephanie Owens/DC/USEPA/US@EPA, Dru Ealons/DC/USEPA/US@EPA, Michael Goo/DC/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA  
Date: 03/27/2012 07:57 AM  
Subject: Final release

---

Attached. Fact sheet is also attached - that is not 100% final yet.



Final release.docx



3-27 fact sheet.docx

WIF  
Ex (b)(5) DPP

WIF  
Ex (b)(5) DPP

EPA-254

**Alex Barron/DC/USEPA/US**

03/27/2012 10:38 AM

To "Michael Goo", "Shannon Kenny"

cc "Paul Balserak", "Barry Elman", "DavidA Evans", "Alex Marten", "Al McGartland"

bcc

Subject Fw: Final release

Brendan Gilfillan

----- Original Message -----

**From:** Brendan Gilfillan

**Sent:** 03/27/2012 10:32 AM EDT

**To:** Brendan Gilfillan

**Cc:** Alex Barron; Arvin Ganesan; Dru Ealons; Gina McCarthy; Joseph Goffman; Laura Vaught; Michael Goo; Stephanie Owens; Larry Jackson; Cathy Milbourn

**Subject:** Re: Final release

Final materials attached - you can tell they're final by the number of "finals" in the document title.

Please note that we will not release until we have confirmed signature.



3-27 final final release.docx 3-27 fact sheet final final.docx

EPA-255

Alex Barron/DC/USEPA/US  
03/28/2012 11:07 AM

To Jim Ketcham-Colwill, Joseph Goffman, Kevin Culligan, Laura Vaught  
cc Mikhail Adamantiades, Nick Hutson, DavidA Evans, Michael Goo, Lorie Schmidt  
bcc

Subject Re: DRAFT Coal Tech Backgrounder

Here is a clean version of the document I was working on yesterday. I expect a more official, cleaned up version of this later in the day, but I wanted to pass this one around now just so folks could have the clean preview.

Technical folks please have another look and triple check that we are comfortable with all the numbers/statements here (plus the one other number I sent around this AM that is not yet in here).

A



GHG coal fact sheet 2012-03-28 DRAFT ab 11AM.docx

WIF

Ex (b)(5) DPP

EPA-258

Alex Barron/DC/USEPA/US  
03/29/2012 05:48 PM

To Joseph Goffman, Michael Goo, Lorie Schmidt, Jim  
Ketcham-Colwill, Arvin Ganesan, Laura Vaught, Kevin  
Culligan, Brendan Gilfillan  
cc DavidA Evans, Mikhail Adamantiades, Nick Hutson, Paul  
Balserak, Shannon Kenny, Barry Elman  
bcc

Subject GHG coal fact sheet 2012-03-28

Folks - Before I leave for the weekend, I thought I would attach the most recent version of our coal backgrounder. None of the technical folks have flagged any issues with this version so I think we can feel comfortable referring to this as needed for factoids and quotes (as an internal document).

Brendan - Let me know if you want any of this for public materials and I'll make sure we run one more QA/QC cycle.

Alex



- GHG coal fact sheet 2012-03-28 internal.docx

WIF

Ex (b)(5) DPP

EPA-259

**Alex Barron/DC/USEPA/US**

04/10/2012 06:17 PM

To Michael Goo, Al McGartland

CC

bcc

Subject Possible RFS and biofuel talkers

(b)(5) (DPP)

|    |            |
|----|------------|
| 1  | [REDACTED] |
| 2  | [REDACTED] |
| 3  | [REDACTED] |
| 4  | [REDACTED] |
| 5  | [REDACTED] |
| 6  | [REDACTED] |
| 7  | [REDACTED] |
| 8  | [REDACTED] |
| 9  | [REDACTED] |
| 10 | [REDACTED] |



EPA-260

**Alex Barron/DC/USEPA/US**

04/11/2012 09:30 AM

To Bicky Corman

cc Al McGartland, Michael Goo, Shannon Kenny

bcc

Subject Biofuels and sustainability

(b)(5) (DPP)

1. [REDACTED]

2. [REDACTED]

3. [REDACTED]

4. [REDACTED]

5. [REDACTED]

6. [REDACTED]

7. [REDACTED]

8. [REDACTED]

9. [REDACTED]

10. [REDACTED]



(b)(5) (DPP)

EPA-261

Alex Barron/DC/USEPA/US

04/12/2012 06:11 PM

To Michael Goo

cc Shannon Kenny, Lesley Schaaff, Glenn Farber, Peter  
Nagelhout, Al McGartland

bcc

Subject RFS2013VolumesIssueMemo

Michael - Here is the latest version of the RFS memo, which I think we can be ready to share late tomorrow, provided other folks offer any last minute tweaks.

(b)(5) (DPP)



A



- RFS2013VolumesIssueMemo 4 12 12 ab v2.docx

WIF

Ex (b)(5) DPP

EPA-262

**Alex Barron/DC/USEPA/US**

04/13/2012 08:58 AM

To "Robin Kime", Michael Goo

cc

bcc

Subject Fw: statement

Brendan Gilfillan

----- Original Message -----

**From:** Brendan Gilfillan

**Sent:** 04/10/2012 05:47 PM EDT

**To:** Alex Barron

**Subject:** statement

(b) (5) (DPP)



EPA-263

Alex Barron/DC/USEPA/US

04/13/2012 10:18 AM

To Arvin Ganesan, Laura Vaught

cc Lorie Schmidt, Michael Goo

bcc

Subject Fw: EPA CALLS FOR 'CUMULATIVE' STUDY OF COAL EXPORTS' ENVIRONMENTAL IMPACTS

We can look for HEC to point to this and ask why we can do this cumm. analysis but not others...on the plus side, CS should be thrilled.

A

----- Forwarded by Alex Barron/DC/USEPA/US on 04/13/2012 10:16 AM -----

From: Sandy Germann/RTP/USEPA/US  
To: Al McGartland/DC/USEPA/US@EPA  
Cc: Michael Goo/DC/USEPA/US@EPA, Bicky Corman/DC/USEPA/US, Shannon Kenny/DC/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA  
Date: 04/13/2012 07:53 AM  
Subject: EPA CALLS FOR 'CUMULATIVE' STUDY OF COAL EXPORTS' ENVIRONMENTAL IMPACTS

---

Al, This was a Region 10 action....Would NCEE likely be involved in such a study?

## **EPA CALLS FOR 'CUMULATIVE' STUDY OF COAL EXPORTS' ENVIRONMENTAL IMPACTS**

**Outlet Full Name:** Inside EPA Weekly Report

**News Text:** EPA is calling for a cumulative impacts analysis of coal exports, indicating at least some support for activists' and clean energy proponents' request to analyze the total impact of several proposed coal export projects under the National Environmental Policy Act (NEPA) rather than looking at the piecemeal effects of each one in isolation.

EPA's move -- included in April 5 comments submitted to the Army Corps of Engineers on the proposed Port of Morrow coal terminal project in Oregon -- is the latest milestone in a growing battle over proposed projects to boost exports of domestic coal to Asia, amid concerns that such exports could exacerbate both local and global environmental problems. It also comes as agencies wrestle with how to manage the burden of analyzing multiple projects. Relevant documents are available on InsideEPA.com. (Doc ID: 2395634)

However, EPA in the comments letter stops short of calling for the "programmatic" environmental impact statement (PEIS) for pending coal projects that some groups have sought, and instead calls for a "cumulative impacts analysis" of exporting large quantities of Wyoming and Montana coal to Asia.

An EPA Region X source adds in an interview that the "intent" of the letter was to focus on recommendations for reviewing the cumulative effects of the Oregon project and not to dictate reviews of the other coal proposals, a characterization that appears to walk back from the agency comments.

The source says it is ultimately up to the Corps of Engineers "how broad or narrow any analysis will be." The source notes that the review of the Oregon project is in its earliest stages.

EPA Region X in the letter to the Corps says it is commenting on the Oregon project, pursuant to the agency's responsibilities under NEPA and the Clean Air Act to weigh in on major federal activities. In procedural terms EPA is responding to an open public comment period by the Corps on a permit for the Port of Morrow coal "transloading facility," under Section 10 of the Rivers and Harbors Act. EPA also cites likely coal dust and diesel emissions from the loading and transport of coal as its "primary preliminary concerns" related to the impact of the project.

But in a section of the letter discussing "contribution to cumulatively significant impacts," the agency notes that the Port of Morrow project is "one of at least six proposals to export coal from Oregon and Washington, and one of at least three which will require permits from the Corps."

Further, "all of the projects -- and others like them would have several similar impacts . . . [including] cumulative impacts to health and the environment from increases in greenhouse gas emissions, rail traffic, mining activity on public lands, and the transport of ozone, particulate matter and mercury from Asia to the United States."

Accordingly, Region X urges a "broadly-scoped cumulative impacts analysis of exporting large quantities of Wyoming and Montana-mined coal through the west coast of the United States to Asia. This cumulative impacts analysis could be used in the environmental analyses of other proposed coal export projects of similar scope."

In language that appears to be focused on the Oregon project, EPA also includes a call for integration of environmental review and consultation requirements for the project into a "single NEPA process" that would combine NEPA reviews with those under the Clean Water Act and the National Historic Preservation Act. "For example, integrating the NEPA process with those for permitting under a section 404 of the Clean Water Act and consultations under Section 106 of the National Historic Preservation Act would result in streamlined and consistent agency decision making, enhanced public disclosure and better predictability for the applicant."

The EPA letter comes as the Corps of Engineers has extended comment on the Port of Morrow project until May 5, with environmentalists embroiled in a related fight seeking a full EIS rather than a less extensive environmental assessment (EA) for the project.

It also comes several weeks after the coal exports issue came up during a recent March 15 listening session in Seattle with numerous participants, including Region X Administrator Dennis McLerran and EPA air office chief Gina McCarthy. At that session, clean energy backers and environmentalists urged EPA to take a close look at the coal projects and back a programmatic environmental impact statement (EIS) that would look at the projects cumulatively. Groups attending the session included the Power Past Coal Coalition, that includes the energy nonprofit Climate Solutions, as well as the environmental groups Columbia River Keeper, Earthjustice, Sierra Club, Washington Environmental Council and the Western Organization of Resource Councils.

Although the EPA comments do not endorse a PEIS, sources say a formal letter from environmental groups calling for a PEIS of multiple coal projects is imminent.

One environmentalist downplays the lack of an EPA reference to a PEIS in its comments,

touting EPA's letter as an indication that EPA and environmentalists agree on the need for a discussion of cumulative effects of the coal projects. "Let's worry about the label on the [analysis] at some other point," the source says.

EPA in its comment letter says it is "reasonable to expect" that decisions related to plans to ship Montana and Wyoming coal to Asia will be "controversial", and also cites other concerns related to impacts on the Columbia River and endangered species. Environmental groups have also been ramping up claims that the carbon footprint of the projects -- taking into account coal combustion abroad -- is greater than that of the controversial Keystone XL tarsands oil pipeline.

The Corps of Engineers did not respond by press time to an inquiry on the EPA letter. --  
Doug Obey

EPA-265

Alex Barron/DC/USEPA/US

04/19/2012 09:09 AM

To Al McGartland, Alex Marten, Steve Newbold

cc Michael Goo, Shannon Kenny, Sandy Germann

bcc

Subject Social Cost of CH4

Just a heads up that E&E was apparently directed to that research working paper that Alex and Steve put out a while back. Did the reporter contact us about it?

"Last year, EPA's National Center for Environmental Economics estimated the social cost of a metric ton of methane to be \$350 to \$2,000. The study calculates the social cost of carbon at \$9.40 to \$74 per metric ton."

<http://www.eenews.net/climatewire/2012/04/19/9>

## REGULATION:

# Fracking air rule will have climate benefits, but its impact is still unclear

Tiffany Stecker, E&E reporter

U.S. EPA's pollution-cutting oil and gas rule will help cut emissions of a potent greenhouse gas without regulating it directly, say clean air advocates.

EPA released a final rule yesterday that requires new hydraulically fractured gas wells to use technology that will cut toxic substances and smog-forming pollution by 2015. As a co-benefit, the upgrades will also reduce methane -- a greenhouse gas with 30 times the global warming potential of carbon dioxide -- by up to 1.7 million tons, said EPA Assistant Administrator for the Office of Air and Radiation Gina McCarthy.

When it comes to cutting methane emissions from hydraulic fracturing, or fracking, wells, "[EPA] isn't aware of any other technologies that are effective as this rulemaking," McCarthy said.

"The standards are practical, flexible, affordable and achievable," she said.

The New Source Performance Standards will mandate that all new wells install "green" completions, technology that separates gas from liquid hydrocarbons from the flowback of wells to cut pollution. Well operators could also flare, or burn, waste gas instead of releasing it directly into the atmosphere.

But because methane is only a co-benefit, it is not an enforceable requirement, said Stuart Ross,

communications director for the Clean Air Task Force.

"I'm sure there a lot more than can be done for methane," he said.

In the rule, EPA estimates the climate co-benefits -- based on the calculations of the social cost of climate change -- to reach between \$100 million to \$1.3 billion per year by 2015, when the rule will be fully enforceable. Despite the needed investment to install green completions, industry will benefit from efficiency measures that stop the release of methane -- the basis for natural gas -- which is sold on the market.

"It's a win for the environment, it's a win for the natural gas sector, it's definitely a win for the public," said Jason Schwartz, legal director for the Institute for Policy Integrity at New York University. It is still relatively unclear how to measure the benefits, said Schwartz. Less work has been done on the costs of methane emissions to society.

### **Exact benefits remain to be measured**

Last year, EPA's National Center for Environmental Economics estimated the social cost of a metric ton of methane to be \$350 to \$2,000. The study calculates the social cost of carbon at \$9.40 to \$74 per metric ton.

The difference in economic impacts is based on the higher global warming potential of methane but also varies on the time scale of climate effects. Methane stays in the atmosphere for a shorter period of time than carbon dioxide, and its damage to the climate could vary over time.

"We don't know how accurately to translate this number that we've developed for carbon and apply it to methane," said Schwartz. "We don't know how to measure the benefits of averting that."

The Environmental Defense Fund released a study last week that found that methane leakage in hydraulic fracturing and transportation of natural gas has the potential to remove some or all of the benefits of being a low-carbon fuel, compared to coal, gasoline or diesel ([E&ENews PM](#) , April 9).

Nevertheless, the attention to methane, in addition to carbon dioxide, is an important one for U.S. climate policy said Paul Bledsoe, senior adviser at the Bipartisan Policy Center.

"It shows that there is an important role for reducing short-lived climate forcers like methane as part of a realistic kind of strategy," Bledsoe said. "It will play in a broader climate strategy."

Benzene and hexane, cancer-causing substances, will drop by 20,000 to 30,000 tons per year. Volatile organic compounds that mix with nitrogen oxides to create smog, will be cut by 190,000 to 290,000 tons per year -- a nearly 95 percent reduction, said EPA's McCarthy.

Approximately 13,000 natural gas wells are fractured or re-fractured each year, said McCarthy. The agency relaxed the final rule from the proposal from last year, allowing well operators an



additional two-and-a-half years to comply with the regulation. The proposal stated that operators would need to comply immediately after the rule's publication in the *Federal Register* ( [Greenwire](#) , April 18).

EPA-266

Alex Barron/DC/USEPA/US

04/20/2012 05:21 PM

To Michael Goo

cc

bcc

Subject Re: A tale of two plants: EPA's mercury rule

If only there had been some sign that epa would regulate hg emissions...

A

Michael Goo

----- Original Message -----

**From:** Michael Goo

**Sent:** 04/20/2012 04:09 PM EDT

**To:** Alex Barron

**Subject:** Fw: A tale of two plants: EPA's mercury rule

"If [EPA] would have treated us in the mercury rule the way they treated us in the greenhouse gas rule ... we'd be in good shape," Bird said. You "can't change your project design on a dime," he said.

----- Forwarded by Michael Goo/DC/USEPA/US on 04/20/2012 04:08 PM -----

From: POLITICO Pro <politicoemail@politicopro.com>

To: Michael Goo/DC/USEPA/US@EPA

Date: 04/20/2012 01:02 PM

Subject: A tale of two plants: EPA's mercury rule

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## A tale of two plants: EPA's mercury rule

By Erica Martinson

4/20/12 1:00 PM EDT

The proprietors of two coal-fired power plant projects are publicly at odds on a key aspect of their case against the EPA's mercury and air toxics standards: whether the requirements they face are technically possible.

The parent companies behind both the White Stallion Energy Center in Texas and Plant Washington in Georgia are suing the EPA over the mercury rule. But [White Stallion's owners say](#) the mercury rule's emissions limits for new plants are impossible to meet, while a spokesman for Plant Washington says his company is confident its engineers could comply if necessary.

Randy Bird, chief operating officer of White Stallion, was surprised to hear that.

"If they have found a way to meet those emission limits ... I would love for them to send me the information," Bird said. "We will easily meet the standard for existing plants," but not for new plants, he said.

White Stallion's attorney, Eric Groten, previously told POLITICO that the mercury rule sets

limits “100 or even 1,000 times stricter than the limits in permits issued for the latest generation of coal-based power across the country.”

“No plant has ever achieved these limits, and some limits are even below the ability to reliably measure,” Groten said.

White Stallion, \$15 million into the project, runs the “risk of irreparable harm,” Bird said, adding that with such difficult emission limits it becomes impossible to finance a project.

Plant Washington’s owner, the electric power consortium Power4Georgians, is more confident about being able to meet the rule’s requirements. But it says the method EPA used to reach them is illegal — and will cost them a lot more than a more legitimate process would have.

Power4Georgians spokesman Dean Alford said the plant’s engineers are updating the plant’s design so that it can meet the emissions limits.

“We believe we can meet them,” Alford said. But he added: “It’s a matter of cost. We think a more accurate [rule] ... puts us in a situation where we don’t have to spend as much money.”

He declined to explain the cost differences.

Both companies must begin construction in the next 12 months to be exempt from another major new EPA regulation, which limits greenhouse gas emissions from new power plants. But to do that, they must quickly resolve their disputes over the mercury rule.

“If [EPA] would have treated us in the mercury rule the way they treated us in the greenhouse gas rule ... we’d be in good shape,” Bird said. You “can’t change your project design on a dime,” he said.

White Stallion and Plant Washington are on the same side of the lawsuit asking the U.S. Court of Appeals for the D.C. Circuit to review the mercury and air toxics standard. The case is named *White Stallion v. EPA* after the first of [many parties to join the suit](#).

White Stallion plans to ask the court next week to sever its petition from the rest of the pack and expedite that case, as the company has only a year from [EPA’s April 13 proposing](#) of the greenhouse gas rule to get moving on the plant, Bird said.

Plant Washington and several others are considering joining White Stallion, Bird said — a fact confirmed by a consultant with Power4Georgians.

Power4Georgians [recently settled](#) a lawsuit with the Sierra Club, agreeing to abandon another coal plant project in the state and move forward on Plant Washington.

Alford said Power4Georgians’s suit against EPA has more to do with the agency’s “process of setting these rules,” arguing that the agency tailored the rule for an ideal plant that has never existed.

It's like choosing baseball's Most Valuable Player as someone who has the highest batting average, the most runs batted in and the most stolen bases, who also led the league in home runs and was the most game-winning pitcher. That player may sound ideal but doesn't exist, Alford said.

Had the agency done it differently, the emissions limits would be higher, he said.

White Stallion, meanwhile, has no plans to let anything stand in its way, Bird said.

"We're just too stubborn to quit, I guess. We're too stupid to quit. I'm not sure which one," he laughed. "We intend to build this [plant]. The only way we can really die is if we quit."

To read and comment online:

<https://www.politicopro.com/go/?id=10896>

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EPA-268

Alex Barron/DC/USEPA/US

04/25/2012 11:22 AM

To Al McGartland

cc Michael Goo

bcc

Subject Washington Times: MILLOY: Did Obama's EPA relaunch  
Tuskegee experiments?

(b) (5) deliberative



The press shop is aware of this and I think OAR/ORD are working on rebuttal materials.

## **MILLOY: Did Obama's EPA relaunch Tuskegee experiments? Human trials vainly tried to prove air pollution is deadly**

By Steve Milloy

Tuesday, April 24, 2012

Which do you find more shocking: that the Environmental Protection Agency conducts experiments on humans that its own risk assessments would deem potentially lethal, or that it hides the results of those experiments from Congress and the public because they debunk those very same risk assessments?

JunkScience.com recently obtained through the Freedom of Information Act the results of tests conducted on 41 people who were exposed by EPA researchers to high levels of airborne fine particulate matter - soot and dust known as PM2.5.

If we are to believe the congressional testimony of EPA Administrator Lisa P. Jackson, these experiments risked the lives of these 41 people, at least one of whom was already suffering from heart problems.

Ms. Jackson testified in September before the House Energy and Commerce Committee, "Particulate matter causes premature death. It doesn't make you sick. It's directly causal to dying sooner than you should." Just to clarify what Ms. Jackson meant by "sooner than you should," deaths allegedly caused by PM2.5 are supposed to occur within a day or so of exposure.

Got that? Airborne dust and soot don't make you sick, they just kill you - virtually upon exposure.

Underscoring this notion are the EPA's two most recent rules affecting coal-fired power plants, the Cross-State Air Pollution Rule and the Mercury and Air Toxics Standard, which the EPA claims will prevent tens of thousands of premature deaths per year by reducing PM2.5 emissions.

Further underscoring the EPA's view that PM2.5 kills is more of Ms. Jackson's congressional testimony. At the September hearing, Rep. Edward J. Markey, Massachusetts Democrat, asked Ms. Jackson, "How would you compare [the benefits of reducing airborne PM2.5] to the fight against cancer?" Ms. Jackson said, "Yeah, I was briefed not long ago. If we could reduce particulate matter to healthy levels, it would have the same impact as finding a cure for cancer in our country." Mr. Markey asked her to repeat what she had said. Ms. Jackson responded, "Yes, sir. If we could reduce particulate matter to levels that are healthy, we would have an identical impact to finding a cure for cancer."

Given that cancer kills about 570,000 Americans per year, according to the American Cancer Society, the EPA's claim amounts to PM2.5 being responsible for roughly 25 percent of all deaths in the U.S. annually.

In support of this belief, the EPA has been issuing rules since 1997 to reduce PM2.5 in ambient air, including the Cross-State Air Pollution Rule and Mercury and Air Toxics Standard, which will cost coal-fired electric utilities and their consumers more than \$10 billion per year to implement.

The EPA takes the position that PM2.5 is so dangerous that it needs to set exceedingly stringent regulatory standards. The EPA's PM2.5 air-quality standards are violated when PM2.5 levels exceed 35 micrograms per cubic meter in ambient air during a 24-hour period, or when they exceed 15 micrograms per cubic meter on average over the course of a year - and the EPA is looking to further tighten these standards in 2013.

Returning to the agency's human experimentation, how much PM2.5 did the study subjects inhale in the name of EPA science? One subject was exposed to 750 micrograms of PM2.5 per cubic meter, or more than 21 times the EPA's 24-hour standard. Seven subjects were exposed to levels 10 times greater than the 24-hour standard. No study subject was exposed to less than 35 micrograms per cubic meter. Remember, Ms. Jackson said PM2.5 doesn't make you sick. It just kills you - quickly.

Although PM2.5 is allegedly so deadly, the experiments were stopped in only two cases. One was a 58-year old woman, who EPA experimented on despite her personal medical history of Stage 1 hypertension, premature atrial contractions, osteoarthritis, gall bladder removal and a family history of heart disease (her father had a fatal heart attack at age 57). Her experiment was stopped when she experienced atrial fibrillation. In the other case, the woman experienced no clinical effects, but the EPA nevertheless stopped her experiment after researchers detected a momentary increase in heart rate.

EPA particulate matter assertions notwithstanding, PM2.5 killed none of the study subjects, and the two experiments that were stopped can likely be explained by causes other than PM2.5.

You might think that the EPA would have shared these "surprising" results with the public and Congress, particularly as they seem to contradict the agency's claims about the lethality of PM2.5. But you would be wrong.

The EPA human experiments were conducted from January 2010 to June 2011, ending more than three months before Ms. Jackson's congressional testimony, which contained no mention of these results - just dramatic claims of PM2.5's lethality.

EPA researchers who conducted the experiments published the case study of the 58-year woman in the government journal *Environmental Health Perspectives* in which they casually disregard the woman's pre-existing health conditions and blame her atrial fibrillation on PM2.5. They also failed to disclose the existence - let alone the results - of the other 40 experiments.

The researchers' conduct is also unethical given that the results of the other experiments - two-thirds of which involved higher PM2.5 levels - contradict their conclusions about the 58-year old woman.

What about the agency's conduct? The EPA's long-established view is that PM2.5 is ultrahazardous, yet it exposed humans to very high and potentially near-instantly lethal levels of a deadly pollutant. In light of the EPA's own safety standard, how far is the agency's conduct from the horrific experiments conducted by the Nazi concentration camp doctor Josef Mengele and the Tuskegee syphilis experiments? What should we make of the agency hiding its results from the public and Congress?

It seems that the only way out for the EPA is to acknowledge the reality that, in fact, PM2.5 is not so bad for you after all.

*Steve Milloy publishes JunkScience.com and is author of "Green Hell: How Environmentalists Plan to Control Your Life and What You Can Do to Stop Them" (Regnery, 2009).*

See also this earlier post:

<http://junkscience.com/2012/04/18/epa-human-experiments-debunk-notion-of-killer-air-pollution-agency-hides-exculpatory-results/>

EPA-269

Michael Goo/DC/USEPA/US

04/26/2012 08:59 PM

To "Al McGartland", "Alex Barron"

cc

bcc

Subject Fw: Water Pollution EPA Says Delay in Cost, Benefit Analysis Could Push Back Stormwater Rule by Year

Bob Sussman

----- Original Message -----

**From:** Bob Sussman

**Sent:** 04/26/2012 07:17 PM EDT

**To:** Michael Goo

**Subject:** Fw: Water Pollution EPA Says Delay in Cost, Benefit Analysis Could Push Back Stormwater Rule by Year

Robert M. Sussman

Senior Policy Counsel to the Administrator

Office of the Administrator

(202-564-7397)

US Environmental Protection Agency

----- Forwarded by Bob Sussman/DC/USEPA/US on 04/26/2012 07:16 PM -----

From: Ann Campbell/DC/USEPA/US

To: Robert Sussman <sussman.bob@epa.gov>

Date: 04/26/2012 09:16 AM

Subject: Water Pollution EPA Says Delay in Cost, Benefit Analysis Could Push Back Stormwater Rule by Year

---

Water Pollution  
EPA Says Delay in Cost, Benefit  
Analysis  
Could Push Back Stormwater Rule by  
Year

By [Amena H. Saiyid](#)

An Environmental Protection Agency senior water regulator said problems with the cost and benefit analysis of the upcoming stormwater rule could delay the proposal by at least a year past the deadline of April 27 set in a legal settlement.

James Hanlon, director of EPA's Office of Wastewater Management, said the rule ran into "analytical issues" with assessing costs and benefits for localities. EPA's stormwater rule has been in the making for more than a decade,

Hanlon and other EPA officials spoke April 25 at the National Environmental Policy Forum, which ran April 22-25. The National Association of Clean Water Agencies, which represents publicly owned wastewater treatment plants, hosted the forum.

EPA had indicated its intent in 1999 to develop a stormwater rule, but the rulemaking progressed



slowly until a 2010 settlement in a lawsuit filed by the Chesapeake Bay Foundation set a deadline (Fowler v. EPA, D. D.C., No. 1:09-cv-5, 5/11/10; [90 DEN A-9, 5/12/10](#)). Under the settlement, EPA was required to propose the stormwater rule by September 2011. However, the parties agreed to extend the deadline to April 27.

#### Group in Negotiations Over New Deadline

Regarding the possibility of another delay in the deadline, Kim Coble, vice president of environmental protection and restoration for the Chesapeake Bay Foundation, said, “We are in negotiations with EPA on a new schedule and final deadline for the regulations.”

The proposed rule would apply to stormwater discharges from newly developed and redeveloped sites and make other regulatory improvements to strengthen the stormwater program. EPA said the size threshold for sites to be covered has not been determined. The rule would spell out performance standards for reducing runoff. The revisions to the stormwater rules would be incorporated into permits for municipal separate storm sewer systems, or MS4s, as the permits are renewed, according to the agency.

Other EPA officials at the conference, including Connie Bosma, chief of the municipal branch of the wastewater management office, said the agency hopes to complete the cost-benefit analysis by this summer, although the agency said later that a time frame has not been determined.

Hanlon said conducting the cost-benefit analysis is complicated by the fact that every year 700,000 acres are developed, with that number estimated to go as high as 1.2 million acres.

“It's not as if we are talking about a set number of regulated facilities, such as the steel industry,” Hanlon said.

#### Called ‘Massive Undertaking.’

Bosma said the analysis was a “massive undertaking” that is “much more of a challenge than we originally imagined.”

For instance, the challenges is in determining how to measure the benefits of using green infrastructure in redevelopment of sites, she said. Measuring the benefits of filtering more polluted water to groundwater through the use of green infrastructure and estimating the costs of installing “pervious pavements” in new developments are among a few of the questions with which EPA is grappling, Bosma said.

Regarding the scope of the regulation, she said EPA has already conducted a survey of regulated and unregulated municipal separate storm sewer systems to establish a baseline of what states already are doing to curb stormwater discharges. According to EPA, some states have developed standards similar to those EPA is considering.

---

Ann Campbell  
Office of the Administrator  
U.S. Environmental Protection Agency  
Mail Code: 1101

P: (202) 566-1370  
C: (202) 657-3117  
F: (202) 501-1428

EPA-270

Alex Barron/DC/USEPA/US

05/01/2012 02:00 PM

To Michael Goo

cc Paul Balserak, Steve Newbold, Al McGartland, Robin Kime  
bcc

Subject 316b NODA Issues and Timing II

Michael - Here is a one pager that Paul pulled together (with tweaks from the rest of us) that covers some key details for the timing of the SP survey in the 316b NODA plus two pages with informative quotes from the proposal.

Alex



- 316b NODA Issues and Timing II ab 5112.docx

WIF

Ex (b)(5) DPP

EPA-271

Alex Barron/DC/USEPA/US

05/01/2012 02:57 PM

To Michael Goo

cc Robin Kime

bcc

Subject LDV questions

I'm still tying down one technical detail before we can send but I was thinking of a note that looks something like this:

(b) (5) (DPP)  
[Redacted text block]

[Redacted text line]

[Redacted text block]

[Redacted text line]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text line]

(b) (5) (DPP)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

EPA-272

Alex Barron/DC/USEPA/US

05/01/2012 06:22 PM

To Michael Goo








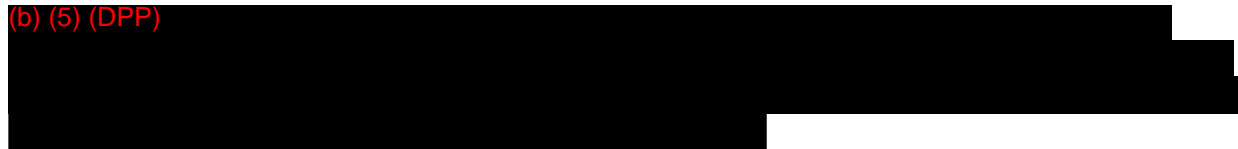
cc Robin Kime, Shannon Kenny, Ann Wolverton, Heather  
Klemick, William Nickerson

bcc

Subject Questions on LDV

As requested:

(b) (5) (DPP)



(b) (5) (DPP) [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

EPA-273

Alex Barron/DC/USEPA/US

05/02/2012 03:48 PM

To Michael Goo

cc Paul Balserak, Steve Newbold, Al McGartland, Robin Kime

bcc

Subject 316b NODA Issues and Timing II

A few cleanup edits for clarity, as requested.



- 316b NODA Issues and Timing II ab 5212.docx

WIF

Ex (b)(5) DPP

EPA-274

Alex Barron/DC/USEPA/US

05/02/2012 04:05 PM

To Peter Preuss

cc Michael Goo, Jan Gilbreath

bcc

Subject Fw: Some documents for the science advisor

Peter- I think this may have come to your attention through other channels but Michael and I wanted to make sure that Dr. Paulson was aware of this rule, which is now in OP for review. I've attached a related slide deck as well.

Alex

|                    |                                                                                                                   |
|--------------------|-------------------------------------------------------------------------------------------------------------------|
| Issue Title:       | <a href="#">Revised Regulation for Environmental Radiation Protection Standard for Nuclear Power Operations</a> - |
| Initiating Office: | OAR                                                                                                               |

**Action Abstracts:**

The Environmental Protection Agency's (EPA) Office of Radiation Programs issued "Environmental Radiation Protection Standards for Nuclear Power Operations" in 1977. Since issuance of the standards, the understanding of radiation risk and dose to humans has advanced and new methodologies have been developed to calculate radiation doses. In view of the developments over the past decades, EPA is evaluating how to update the Environmental Radiation Protection Standards for Nuclear Power Operations in 40 CFR Part 190. An updated rule would draw on updated science and clarify how safety should be demonstrated. EPA is issuing this ANPR to solicit public input on general questions and approaches on what aspects of the rule should be updated.

-----  
**Action Overview**

This ANPRM seeks comment on updating the 1977 environmental radiation protection standard for nuclear power operations. The standards set acceptable radiation levels outside the fence line of nuclear power plants. EPA has responsibility for setting the standards, which are implemented by the Nuclear Regulatory Commission. The United States currently has 104 nuclear operating units that would be affected by this action, and there are plans for another 10 units. Concern over the environmental effects of radiation exposure has grown substantially since the recent failure of the Fukushima Daiichi reactor in Japan. (b) (5) (DPP)

[REDACTED]



190 Presentation for NRC RIC.ppt



EPA-284

Alex Barron/DC/USEPA/US

05/03/2012 08:02 PM

To goo.michael

cc Laura Vaught

bcc

Subject 316b



- 316b NODA Stated Preference Note and TPs v2.docx

WIF

Ex (b)(5) DPP

EPA-285

Michael Goo/DC/USEPA/US  
05/09/2012 07:54 AM

To TO: Gina McCarthy, Craig Hooks, Barbara Bennett, Joyce Frank, Jim Jones, Cynthia Giles, Malcolm Jackson, Scott Fulton, Michelle DePass, Arthur Elkins, Lek Kadeli, Mathy Stanislaus, Nancy Stoner, Curt Spalding, Judith Enck, Shawn Garvin, Gwendolyn KeyesFleming, Susan Hedman, Sam Coleman, Karl Brooks, JamesB Martin, Jared Blumenfeld, Dennis McLerran

cc LisaP Jackson, Bob Perciasepe, Diane Thompson, Christopher Busch, Bob Sussman, Charles Imohiosen, Brendan Gilfillan, Arvin Ganesan, Lawrence Elworth, Peter Grevatt, Lisa Garcia, Debbie Dietrich, Sarah Pallone, Janet Woodka, Denise Dickenson, Ken Kopocis, Bicky Corman, Robin Kime, Shannon Kenny, Alex Barron, Alexander Cristofaro, Lesley Schaaff, Paul Balserak, Ken Munis, Evangeline Cummings, Eileen Pritchard, Bruce Schillo, Linda Chappell, Ann Campbell, Mary Hanley, KarenL Martin, Nena Shaw, MichaelE Scozzafava, DAA, DRA

bcc

Subject Final May-June 60 Day List

Based on your input, attached is a final 60-Day List for May and June 2012. The list, organized by program office and region, contains brief descriptions and timelines of EPA actions upcoming between now and the end of June. Also included are some priority policy actions, which are included without regard to the projected date of their next milestone. Also attached is a shorter, chronological version of this list.

I hope you and your immediate staff find this to be of use. Please feel free to contact me or Alex Cristofaro with any comments or questions.

Thanks  
Michael



60 Day List May-June 2012.doc

WIF  
Ex (b)(5) DPP



chron 60 Day List May-June 2012.doc

WIF  
Ex (b)(5) DPP

EPA-287

Alex Barron/DC/USEPA/US  
05/18/2012 10:07 AM

To: Brendan Gilfillan, Laura Vaught, Arvin Ganesan  
cc: Michael Goo, Al McGartland, Nathalie Simon, Jeffrey Corbin  
bcc:  
Subject: Heads up on Chesapeake Bay Stated Preference Survey

I just wanted to offer a quick heads up about a minor FR notice that will be publishing next week. As you may recall, Bob P has committed to a Benefit Cost analysis of the Chesapeake Bay TMDL. (b) (5) (DPP)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Let us (Al or myself) know if you have any questions.

Alex

P.S. For those who are really, really interested, I'm also attaching the survey itself.



- Draft Desk Statement Stated Preference Survey ChesBay2.docx



- 2012.5.10 HPA Interview

Endpoint Declining Baseline.pdf

WIF

Ex (b)(5) DPP

WIF

Ex (b)(5) DPP

EPA-288

Alex Barron/DC/USEPA/US

05/18/2012 11:55 AM

To "Brendan Gilfillan", "Laura Vaught", "Arvin Ganesan", Michael Goo

cc

bcc

Subject Fw: FYI Follow up Information Release of formerly restricted product: GAO-12-545R, Air Emissions and Electricity Generation at U.S. Power Plants (JC 361383) Exit Conference GAO JC 361308 New Environmental Regulations & the Electricity Sector

OCFO-GAO

----- Original Message -----

**From:** OCFO-GAO

**Sent:** 05/18/2012 11:20 AM EDT

**To:** Al McGartland; Alex Barron; Alexander Livnat; Amy Newman; Apple Chapman; Charlotte Bertrand; David A Evans; Frank Behan; Gregory Fried; Jessica Hall; John Michaud; Joseph Goffman; Julie Hewitt; Kellie Ortega; Kevin Culligan; Kevin Mclean; Laurel Celeste; Lauren Kabler; Lee Hofmann; Mark Eads; Marna McDermott; MaryEllen Levine; Mindy Kairis; Nathalie Simon; Patricia Embrey; Paul Balserak; Paul Shriner; Paul Versace; Phillip Brooks; Richard Haeuber; Richard Robinson; Richard Witt; Robert Wood; Sonja Rodman; Steve Newbold

**Cc:** Bobbie Trent; Courtney Hyde; Gwendolyn Spriggs; Johnsie Webster; Marilyn Ramos; Markt Howard; Marna McDermott; Maureen Hingeley; Michael Mason; Mindy Kairis; Pamala List; Stuart Miles-McLean; Joel Beauvais

**Subject:** FYI Follow up Information Release of formerly restricted product: GAO-12-545R, Air Emissions and Electricity Generation at U.S. Power Plants (JC 361383) Exit Conference GAO JC 361308 New Environmental Regulations & the Electricity Sector

All,

During the exit conference GAO mentioned that one of the initial objectives for the 361308 engagement was spun off as separate job: JC 361383 that became the letter- report, GAO-12-545R.

The letter-report will be publicly released today. As GAO mentioned during the exit conference, they did not make any recommendations in this report.

Below, first, is GAO's summary of the report, then links to the pre-release version and the public release version.

Mark

MarkT Howard

GAO Liaison Team (2732A)

OCFO/OB

Ariel Rios North 4442P

United States Environmental Protection Agency

1200 Pennsylvania Ave., NW

Washington, DC 20460

Phone: 202-564-1697

EMail: howard.markt@epa.gov

**Summary:**

What GAO Found

Older electricity generating units—those that began operating in or before 1978—provided 45 percent of

electricity from fossil fuel units in 2010 but produced a disproportionate share of emissions, both in aggregate and per unit of electricity generated. Overall, in 2010 older units contributed 75 percent of sulfur dioxide emissions, 64 percent of nitrogen oxides emissions, and 54 percent of carbon dioxide emissions from fossil fuel units. For each unit of electricity generated, older units collectively emitted about 3.6 times as much sulfur dioxide, 2.1 times as much nitrogen oxides, and 1.3 times as much carbon dioxide as newer units. The difference in emissions between older units and their newer counterparts may be attributed to a number of factors. First, 93 percent of the electricity produced by older fossil fuel units in 2010 was generated by coal-fired units. Compared with natural gas units, coal-fired units produced over 90 times as much sulfur dioxide, twice as much carbon dioxide and over five times as much nitrogen oxides per unit of electricity, largely because coal contains more sulfur and carbon than natural gas. Second, fewer older units have installed emissions controls, which reduce emissions by limiting their formation or capturing them after they are formed. Among coal-fired units—which produce nearly all sulfur dioxide emissions from electric power generation—approximately 26 percent of older units used controls for sulfur dioxide, compared with 63 percent of newer units. Controls for nitrogen oxide emissions were more common among all types of fossil fuel units, but these controls vary widely in their effectiveness. Among older units, 14 percent had installed selective catalytic reduction (SCR) equipment, the type of control capable of reducing the greatest amount of nitrogen oxides emissions, compared with 33 percent of newer units. In addition, approximately 38 percent of older units did not have any controls for nitrogen oxides, compared with 6 percent of newer units. Third, lower emissions among newer units may be attributable in part to improvements in the efficiency with which newer units convert fuel into electricity. Nonetheless, older units remain an important part of the electricity generating sector, particularly in certain regions of the United States.

**GAO will release the following formerly restricted product to the public today. Until then, use the secure link below to access the product. GAO-12-545R**

**Air Emissions and Electricity Generation at U.S. Power Plants**

**<http://www.gao.gov/prerelease/pCDM>**

**David C. Trimble**

**Director, Natural Resources & Environment**

After public release later today, the following link should be used to obtain the product.

**<http://www.gao.gov/products/GAO-12-545R>**

EPA-289

Alex Barron/DC/USEPA/US

05/23/2012 03:38 PM

To Michael Goo

cc Lesley Schaaff

bcc

Subject Fw: Bifurcated NODAs for 316b

FYI

----- Forwarded by Alex Barron/DC/USEPA/US on 05/23/2012 03:38 PM -----

From: Julie Hewitt/DC/USEPA/US  
To: Alex Barron/DC/USEPA/US@EPA, Steve Newbold/DC/USEPA/US@EPA, Richard Witt/DC/USEPA/US@EPA, MaryEllen Levine/DC/USEPA/US@EPA  
Date: 05/23/2012 03:37 PM  
Subject: Fw: Bifurcated NODAs for 316b

---

Sorry -- I meant to copy you all, but my brain is now officially mush.

----- Forwarded by Julie Hewitt/DC/USEPA/US on 05/23/2012 03:35 PM -----

From: Julie Hewitt/DC/USEPA/US  
To: (b)(6) Jim Laity  
Cc: Robert Wood/DC/USEPA/US@EPA, Lynn Zipf/DC/USEPA/US@EPA, Elizabeth Southerland/DC/USEPA/US@EPA, Ken Kopocis/DC/USEPA/US@EPA, Ellen Gilinsky/DC/USEPA/US@EPA, Nancy Stoner/DC/USEPA/US@EPA, Paul Shriner/DC/USEPA/US@EPA, Paul Shriner/DC/USEPA/US@EPA, Erik Helm/DC/USEPA/US@EPA, Lisa Biddle/DC/USEPA/US@EPA, Tom Born/DC/USEPA/US@EPA, Wendy Hoffman/DC/USEPA/US@EPA, Marla Smith/DC/USEPA/US@EPA, Paul Balserak/DC/USEPA/US@EPA  
Date: 05/23/2012 03:26 PM  
Subject: Bifurcated NODAs for 316b

---

Jim

Attached are the bifurcated NODAs for 316b. Both are clean versions, with the exception of some comment bubbles to help you understand (b)(5) (DPP)

[REDACTED]

[REDACTED]

We look forward to getting clearance for these.  
Thanks,  
Julie



EO12866\_CoolingWaterIntakes\_2040-AE95\_NPRM\_NODA\_2\_20120523.docx

WIF  
Ex (b)(5) DPP



EO12866\_CoolingWaterIntakes\_2040-AE95\_NPRM\_NODA\_1\_20120523.docx

WIF  
Ex (b)(5) DPP

EPA-291

Alex Barron/DC/USEPA/US

05/25/2012 10:30 AM

To Michael Goo

cc

bcc

Subject Fw: EPA ECONOMISTS STRUGGLE TO ESTIMATE  
BENEFITS OF NPDES E-REPORTING RULE

Fyi.

A

Ron Shadbegian

----- Original Message -----

**From:** Ron Shadbegian

**Sent:** 05/25/2012 10:06 AM EDT

**To:** Al McGartland

**Cc:** Brett Snyder; Jennifer Bowen; Alex Barron; Nathalie Simon

**Subject:** Fw: EPA ECONOMISTS STRUGGLE TO ESTIMATE BENEFITS OF NPDES  
E-REPORTING RULE



RFF (05.17.12).ppt

Hi Al,

You have probably seen this InsideEPA article that Sandy forwarded, Ann and I presented our initial work on e-reporting at the RFF Academic Seminar last week. The reporter got a lot of the specifics of our study wrong, but at least she noted the caveat that this does not represent official EPA policy or views. We will work on a list of specific things the reporter got wrong and circulate that later today. I have also included a copy of our slide deck.

We did give OECA (Jon Silberman) notice that we were presenting at RFF and also told them that if they couldn't make it we would schedule a brownbag for them sometime post-AERE conference.

Thanks.

Ron

----- Forwarded by Ron Shadbegian/DC/USEPA/US on 05/25/2012 10:02 AM -----

From: Sandy Germann/RTP/USEPA/US

To: Michael Goo/DC/USEPA/US@EPA, Bicky Corman/DC/USEPA/US, Shannon  
Kenny/DC/USEPA/US@EPA, Robin Kime/DC/USEPA/US@EPA, Alex  
Barron/DC/USEPA/US@EPA, Al McGartland/DC/USEPA/US@EPA, Alexander  
Cristofaro/DC/USEPA/US@EPA, Nathalie Simon/DC/USEPA/US@EPA, Jennifer  
Bowen/DC/USEPA/US@EPA, Brett Snyder/DC/USEPA/US@EPA, Ron  
Shadbegian/DC/USEPA/US@EPA, Ann Wolverton/DC/USEPA/US@EPA

Date: 05/25/2012 08:36 AM

Subject: EPA ECONOMISTS STRUGGLE TO ESTIMATE BENEFITS OF NPDES E-REPORTING RULE

Inside EPA coverage of presentations by Ann Wolverton and Ron Shadbegian at recent RFF seminar...

**EPA ECONOMISTS STRUGGLE TO ESTIMATE BENEFITS OF NPDES E-REPORTING  
RULE**

## Inside EPA Weekly Report

News Text: EPA economists are struggling to determine whether there are compliance benefits associated with electronic reporting of wastewater discharges, including limited data and varying state approaches, even as the agency readies its high-priority proposed rule to require electronic reporting for dischargers.

The research could ultimately help EPA defend its upcoming Clean Water Act (CWA) electronic reporting rule against criticism from some states that believe it will place an undue burden on regulators and that the agency is moving too quickly as it seeks to transition states to electronic reporting.

Ron Shadbegian and Ann Wolverton, of EPA's National Center for Environmental Economics (NCEE), are crafting an independent study to determine whether there is a potential relationship between mandatory electronic reporting and increased regulatory compliance.

During a May 17 seminar hosted by Resources for the Future (RFF) in Washington, DC, the authors presented an overview of their draft internal paper, "Does Electronic Reporting of Emissions Information Generate Environmental Benefits?"

While the economists are withholding their initial study findings because they have not yet undergone peer review and could change after additional research, their review of state programs in Florida and Michigan that have adopted voluntary electronic reporting shows some benefits, including increased effectiveness due to regulators' enhanced ability to quickly analyze data and assess compliance.

But their presentation to the seminar highlighted significant data gaps they face before they can identify the effect of electronic reporting on traditional compliance mechanisms like inspections, which are also difficult to quantify because states inspect with varying degrees of frequency.

A major driver for the study, which is being performed independently by NCEE staff and does not reflect agency views, is EPA's plans to transition reporting components of the National Pollutant Discharge Elimination System (NPDES) program to mandatory electronic reporting.

EPA's enforcement office is developing the rule as part of a broader effort to strengthen state NPDES enforcement programs, which an agency review in 2008 found to be lacking.

Under the water law, industrial and other dischargers that hold a NPDES permit must report their monitoring data to the states -- most of which do not mandate that data be submitted electronically but two dozen of which already allow some electronic reporting on a voluntary basis.

The agency says it needs to transition to e-reporting because its current paper-based reporting systems was developed nearly 40 years ago and initially focused on only a subset of point source pollution. Since then, the agency says, the universe of permitted facilities has grown from 100,000 facilities to nearly 1 million.

As a result, EPA says electronic data collection and transmission could provide a host of



potential benefits, including aiding regulated facilities in reporting their data; reducing burden on states and improving data quality; providing more timely and accurate data for enforcement targeting and reporting; increasing transparency on regulatory compliance and enhancing EPA's oversight and states' management of the NPDES program.

EPA sent a draft proposed rule to the White House Office of Management & Budget (OMB) for review Jan. 20. The proposal would require electronic reporting of discharge monitoring reports by Jan. 2014 and for general permits by 2015, according to EPA.

Wolverton, speaking during the RFF event, said that electronic reporting has become a priority for OMB, and that EPA's Office of Enforcement and Compliance Assurance was interested in the NCEE research to better quantify potential environmental benefits associated with the planned NPDES rule.

EPA says the NPDES rulemaking is aimed generally at identifying what reporting data the agency has to receive electronically from permittees and states in order to effectively manage its Integrated Compliance Information System.

While almost half of the states already require some electronic reporting, states are nevertheless concerned that EPA's upcoming rule could increase their administrative burdens.

But EPA and states are in discussions on the issue. For example, EPA held a May 10 conference call to discuss next steps in their effort to consider whether to allow regulators to use third-party commercial software to transmit their monitoring data to EPA.

According to state sources, states expressed concern over potential double data entry from permittees, timeliness and accuracy of data and loss of control that a third-party approach would introduce, according to a state source.

But Wolverton said during the seminar that there are likely benefits. "Given the fact that 24 states have gone to electronic reporting, there must be some benefits," she said.

She said the potential relationship between compliance and electronic reporting has not "been particularly well-studied" when applying it to reporting required under various environmental programs, and published literature available on the subject is scarce.

So far, the authors said, there are limited amounts of data, given that Ohio is the only state that currently requires electronic reporting of wastewater discharges, and that states that do use electronic reporting on a voluntary basis have substantially different data systems that may make side-by-side comparison difficult.

California and Pennsylvania, for example, use a similar system to Ohio, but other state mechanisms are "likely to differ substantially," Wolverton said.

"The conclusion is that there is mixed and not terribly robust evidence that compliance is affected by electronic reporting," Wolverton said.

A key focus of the study is how compliance results may vary depending on the turnaround time with which a particular electronic reporting mechanism can produce feedback, she

added, saying "the auditing mechanism is very interesting." For example, Ohio's system allows for nearly instant feedback, which gives facilities a chance to fix a prospective violation relatively quickly compared to states without such feedback.

The agency has touted the potential for increased data accuracy and more efficient use of limited resources associated with electronic reporting for wastewater discharges. But some have also suggested a connection to improved compliance as well, because electronic reporting offers quicker feedback than paper reporting, so facilities can take action to reduce their excessive releases and EPA can respond more expediently to ongoing noncompliance problems.

"If there is a problem, within 24 hours, you get an email instructing you to get back into compliance" with most electronic reporting programs, as opposed to waiting for EPA correspondence via paper reporting, Wolverton said.

"The argument that there may be improved compliance through electronic reporting is based on the existence of an auditing mechanism, not just the ability to email instead of mail forms," according to Shadbegian's presentation.

But little empirical evidence exists to support the assertion, the NCEE study authors say.

In the draft study, the authors examined the environmental performance of facilities in Ohio -- the only state to require e-reporting -- measured against six states that do not currently have any electronic reporting measures. Those states are Georgia, Kansas, Kentucky, Minnesota, Missouri and New York.

Wolverton noted during her presentation that two states, Michigan and Florida, which use the same system as Ohio but on a voluntary basis, have highlighted increased program effectiveness due to enhanced ability for regulators to quickly analyze data and assess compliance.

And Wolverton also noted that electronic reporting mechanisms used in the Clean Air Interstate Rule, EPA's early emissions trading program, was touted as having similar benefits in error reduction due to decreased data entry.

The draft study findings overall identified a need for better data on the interchange between electronic reporting and traditional compliance mechanisms like inspections -- also difficult to quantify because states inspect with varying degrees of frequency. New Jersey, the authors noted, seemed to have few compliance inspections, having a "consistently low level of oversight facilities with regard to environmental compliance." -- Bridget DiCosmo

EPA-292

**Alex Barron/DC/USEPA/US**

05/26/2012 06:28 PM

To Michael Goo

CC

bcc

Subject Fw: Short RFSVolumesIssueMemo - Context

So, I think that this memo is ready and I will send it in a clean e-mail. (b) (5) (DPP)

If you think that this is something we need to flag upfront, just let me know and I will redraft.

Alex

-----Forwarded by Alex Barron/DC/USEPA/US on 05/26/2012 05:37PM -----

To: Alex Barron Barron.Alex@epa.gov

From: Alex Barron/DC/USEPA/US

Date: 05/25/2012 06:10PM  
Subject: RFSVolumesIssueMemo 5 25 12 Short.docx

*(See attached file: RFSVolumesIssueMemo 5 25 12 Short.docx)*

EPA-293

Alex Barron/DC/USEPA/US

05/26/2012 06:34 PM

To Michael Goo

cc Al McGartland, Peter Nagelhout, Glenn Farber, Elizabeth  
Kopits, Shannon Kenny

bcc

Subject BBD BCA memo



- RFSVolumesIssueMemo 5 25 12 Short.docx

WIF

Ex (b)(5) DPP

EPA-294

Michael Goo/DC/USEPA/US  
05/29/2012 10:48 AM

To Robin Kime, Alex Barron, Shannon Kenny  
cc  
bcc  
Subject Fw: Refineries RTR

fyi we sent this to bob

----- Forwarded by Michael Goo/DC/USEPA/US on 05/29/2012 10:47 AM -----

From: Michael Goo/DC/USEPA/US  
To: Bob Perciasepe/DC/USEPA/US@EPA, Bob Sussman/DC/USEPA/US@EPA  
Date: 05/25/2012 12:15 PM  
Subject: Refineries RTR

---

Bob,

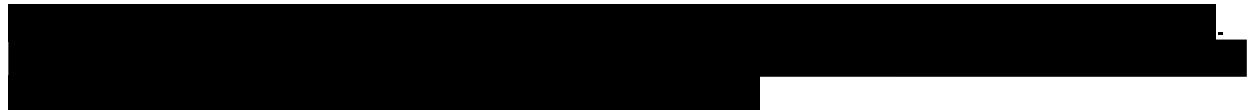
(b) (5) (DPP)

A large rectangular area of the document is completely blacked out, indicating redacted content. It spans most of the width of the page.A large rectangular area of the document is completely blacked out, indicating redacted content. It spans most of the width of the page.


### Background

The settlement agreement covers residual risk standards for **one** of the two MACT source categories for refineries, GHG standards, and reconsideration of environmental petitioners' issues on NSPS subpart Ja.

(b) (5) (DPP)

A large rectangular area of the document is completely blacked out, indicating redacted content. It spans most of the width of the page.A large rectangular area of the document is completely blacked out, indicating redacted content. It spans most of the width of the page.A large rectangular area of the document is completely blacked out, indicating redacted content. It spans most of the width of the page.

(b) (5) (DPP)



EPA-295

Alex Barron/DC/USEPA/US

05/29/2012 11:59 AM

To Michael Goo

cc Peter Nagelhout, Glenn Farber, Al McGartland, Robin Kime

bcc

Subject RFSVolumesIssueMemo 5 29 12

w/ minor updates



- RFSVolumesIssueMemo 5 29 12 Short.doc

WIF

Ex (b)(5) DPP



EPA-296

Alex Barron/DC/USEPA/US  
05/29/2012 04:31 PM

To Karen Thundiyil, Charlotte Bertrand, Alexander Cristofaro,  
Paul Balserak  
cc Michael Goo, Robin Kime  
bcc  
Subject Fw: Revised briefing per Gina's direction

Still very draft and close hold, but reorganized.

A

----- Forwarded by Alex Barron/DC/USEPA/US on 05/29/2012 04:30 PM -----

From: Kevin Culligan/DC/USEPA/US  
To: Alex Barron/DC/USEPA/US@EPA  
Date: 05/29/2012 04:23 PM  
Subject: Fw: Revised briefing per Gina's direction

---

----- Forwarded by Kevin Culligan/DC/USEPA/US on 05/29/2012 04:23 PM -----

From: Kevin Culligan/DC/USEPA/US  
To: Joseph Goffman/DC/USEPA/US@EPA, Peter Tsirigotis/RTP/USEPA/US@EPA, Wendy  
Blake/DC/USEPA/US@EPA, Paul Versace/DC/USEPA/US@EPA, RobertJ  
Wayland/RTP/USEPA/US@EPA, Nick Hutson/RTP/USEPA/US@EPA  
Cc: Angela Hackel/RTP/USEPA/US@EPA  
Date: 05/29/2012 04:11 PM  
Subject: Revised briefing per Gina's direction

---

This has been tightened up substantially. I will follow up with all of you to make sure this is still accurate (and in Joe's case, to make sure it is consistent with what he also heard Gina ask for).



utility MACT new sources 5-29 - revised.pptx

WIF

Ex (b)(5) DPP

EPA-297

Michael Goo/DC/USEPA/US

05/31/2012 10:16 AM

To: Alex Barron

cc

bcc

Subject: Fw: RFSVolumesIssueMemo 5 29 12

----- Forwarded by Michael Goo/DC/USEPA/US on 05/31/2012 10:16 AM -----

From: Michael Goo/DC/USEPA/US  
To: Bob Perciasepe/DC/USEPA/US@EPA, Bob Sussman/DC/USEPA/US@EPA, Larry Elworth  
<Elworth.Lawrence@epa.gov>  
Date: 05/31/2012 10:11 AM  
Subject: Fw: RFSVolumesIssueMemo 5 29 12

---

(b) (5) (DPP)

[Redacted]

(b) (5) (DPP)

[Redacted]

Gina McCarthy

----- Original Message -----

From: Gina McCarthy  
Sent: 05/29/2012 12:47 AM EDT  
To: Michael Goo  
Cc: Michael Goo  
Subject: RFS

Michael - (b) (5) (DPP)

[Redacted]

Let me know if you want me to send to Bob or if you plan to.

Thanks



WIF

RFS 2013 Biodiesel Final.docx Ex (b)(5) DPP

----- Forwarded by Michael Goo/DC/USEPA/US on 05/31/2012 10:06 AM -----

From: Michael Goo/DC/USEPA/US  
To: Bob Perciasepe/DC/USEPA/US@EPA, Lawrence Elworth/DC/USEPA/US@EPA, Bob  
Sussman/DC/USEPA/US@EPA  
Date: 05/30/2012 06:33 PM  
Subject: Fw: RFSVolumesIssueMemo 5 29 12

---

(b) (5) (DPP)

[Redacted]


(b) (5) (DPP) [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

 - RFSVolumesIssueMemo 5 29 12 Short.doc

WIF  
Ex (b)(5) DPP

EPA-298

Michael Goo/DC/USEPA/US

To "Alex Barron"

05/31/2012 01:19 PM

cc

bcc

Subject Fw: NODAs

Alisha Johnson

----- Original Message -----

**From:** Alisha Johnson

**Sent:** 05/31/2012 01:07 PM EDT

**To:** Michael Goo; Bob Sussman; Nancy Stoner

**Subject:** NODAs

All,

Do you have any concerns with the edited versions of the desk statements below?

**Desk Statement - CWA 316(b) First Notice of Data Availability Signed  
(operative only between signature of the 1<sup>st</sup> NODA and signature of the 2<sup>nd</sup> NODA)**

(b) (5) (DPP)




**Desk Statement - CWA 316(b) Second Notice of Data Availability Signed  
(operative immediately upon signature of the 2<sup>nd</sup> NODA)**

(b) (5) (DPP)



(b) (5) (DPP)



EPA-299

Alex Barron/DC/USEPA/US

05/31/2012 01:55 PM

To Alisha Johnson

cc Michael Goo, Paul Balserak, Steve Newbold

bcc

Subject Fw: NODA desk statements

Our thoughts...in ~~strikeout~~ and red.

**Desk Statement - CWA 316(b) First Notice of Data Availability Signed**  
(operative only between signature of the 1<sup>st</sup> NODA and signature of the 2<sup>nd</sup> NODA)

(b) (5) (DPP)



**Desk Statement - CWA 316(b) Second Notice of Data Availability Signed**  
(operative immediately upon signature of the 2<sup>nd</sup> NODA)

(b) (5) (DPP)



EPA-300

Alex Barron/DC/USEPA/US

05/31/2012 03:59 PM

To Robin Kime

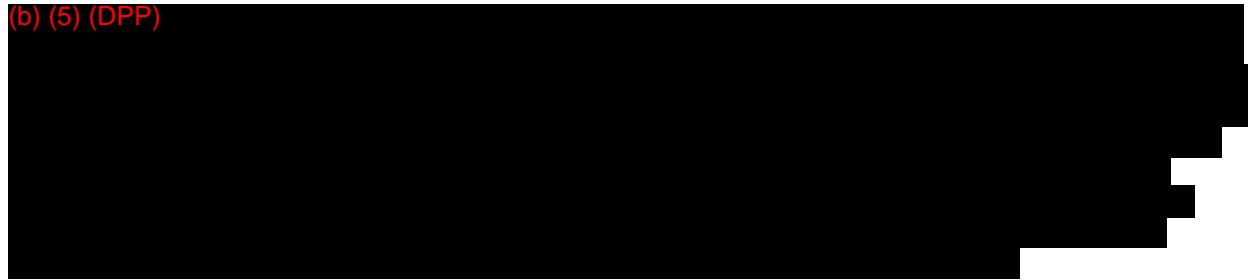
cc Michael Goo

bcc

Subject Re: EPRI study

I already sent Brendan some comments:

(b) (5) (DPP)



Robin Kime

----- Forwarded by Robin Kime/DC/US...

05/31/2012 03:55:21 PM

From: Robin Kime/DC/USEPA/US  
To: Alex Barron/DC/USEPA/US@EPA  
Cc: Michael Goo/DC/USEPA/US@EPA  
Date: 05/31/2012 03:55 PM  
Subject: EPRI study

---

----- Forwarded by Robin Kime/DC/USEPA/US on 05/31/2012 03:55 PM -----

From: Brendan Gilfillan/DC/USEPA/US  
To: Bob Perciasepe/DC/USEPA/US@EPA, Michael Goo/DC/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA, Gina McCarthy/DC/USEPA/US@EPA, Nancy Stoner/DC/USEPA/US@EPA  
Date: 05/31/2012 02:57 PM  
Subject: EPRI study

---

All -

There's an EPRI study coming out today that essentially says if EPA is more flexible on compliance timelines and acceptable technologies to meet MATS, a final cooling water intake rule, and a final coal ash rule, then the overall economic impact of the rules would be \$100 billion less between 2010 and 2035. The study doesn't account for health benefits, we will make sure reporters note.

Draft statement:

(b) (5) (DPP)







EPA-301

Michael Goo/DC/USEPA/US

05/31/2012 09:55 PM

To "Alex Barron"

cc

bcc

Subject Fw: EPRI study

Robin Kime

----- Original Message -----

**From:** Robin Kime

**Sent:** 05/31/2012 03:55 PM EDT

**To:** Alex Barron

**Cc:** Michael Goo

**Subject:** EPRI study

----- Forwarded by Robin Kime/DC/USEPA/US on 05/31/2012 03:55 PM -----

From: Brendan Gilfillan/DC/USEPA/US

To: Bob Perciasepe/DC/USEPA/US@EPA, Michael Goo/DC/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA, Gina McCarthy/DC/USEPA/US@EPA, Nancy Stoner/DC/USEPA/US@EPA

Date: 05/31/2012 02:57 PM

Subject: EPRI study

---

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Draft statement:

(b) (5) (DPP)



EPA-302

Alex Barron/DC/USEPA/US

To Michael Goo

05/31/2012 10:01 PM

cc

bcc

Subject Re: EPRI study

Already sent brendan edits. Study is not very good. Mandatory cooling towers and wet scrubbers all over again...

A

Michael Goo

----- Original Message -----

**From:** Michael Goo

**Sent:** 05/31/2012 09:55 PM EDT

**To:** Alex Barron

**Subject:** Fw: EPRI study

Robin Kime

----- Original Message -----

**From:** Robin Kime

**Sent:** 05/31/2012 03:55 PM EDT

**To:** Alex Barron

**Cc:** Michael Goo

**Subject:** EPRI study

----- Forwarded by Robin Kime/DC/USEPA/US on 05/31/2012 03:55 PM -----

From: Brendan Gilfillan/DC/USEPA/US

To: Bob Perciasepe/DC/USEPA/US@EPA, Michael Goo/DC/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA, Gina McCarthy/DC/USEPA/US@EPA, Nancy Stoner/DC/USEPA/US@EPA

Date: 05/31/2012 02:57 PM

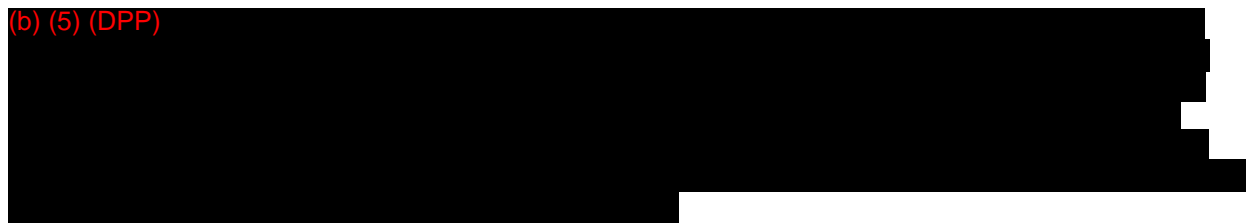
Subject: EPRI study

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Draft statement:

(b) (5) (DPP)





EPA-303

Alex Barron/DC/USEPA/US

06/01/2012 03:38 PM

To Michael Goo

cc Al McGartland, Glenn Farber, Peter Nagelhout, Elizabeth  
Kopits, Robin Kime

bcc

Subject 2013 BBD env benefits slide

Michael - I thought you might like a single slide that discusses OP's thoughts on the environmental benefits of the BBD mandate. Happy to discuss.

Alex



- 2013 BBD env benefits slides 6 1 12.pptx

WIF

Ex (b)(5) DPP

EPA-304

Michael Goo/DC/USEPA/US

06/01/2012 06:08 PM

To Alexander Cristofaro

cc Alex Barron, Nicole Owens

bcc

Subject Re: Heads up on IG Response

looks fine to me---alex?

Alexander Cristofaro

Hi Michael, You and the EPA Scie...

06/01/2012 02:24:01 PM

From: Alexander Cristofaro/DC/USEPA/US  
To: Michael Goo/DC/USEPA/US@EPA  
Cc: Alex Barron/DC/USEPA/US@EPA, Nicole Owens/DC/USEPA/US@EPA  
Date: 06/01/2012 02:24 PM  
Subject: Heads up on IG Response

---

Hi Michael,

You and the EPA Science Advisor committed to write a joint memorandum by June 30 to the AAs in response to the OIG report on the endangerment finding. ([http://www.epa.gov/oig/reports/2012/11-P-0702\\_Agency\\_Response.pdf](http://www.epa.gov/oig/reports/2012/11-P-0702_Agency_Response.pdf)).

The memorandum is to instruct programs to include language in preambles certifying peer review was conducted in accordance with OMB's bulletin on peer review; and to include a statement in action memos regarding adherence to our peer review policy.

OSA has taken the lead and drafted the following memo in response to these two recommendations. This has been reviewed by **the Science Advisor who will mention the memo to the DA at a briefing on June 5**. If possible, OSA would like official OP comments prior to the meeting with the DA. The draft is attached below.

[attachment "4\_GHG Corrective Action Respose on Peer Review - DRAFT Memo to AAs and RAs\_SA\_OP\_1st Draft.docx" deleted by Michael Goo/DC/USEPA/US]

The letter, although terse, fulfills your commitment. Are you OK with it?

Alex Cristofaro  
Director, Office of Regulatory Policy and Management  
EPA Mailcode 1804A  
1200 Pennsylvania Avenue, NW  
Washington, D.C. 20460  
(202) 564-7253 (202) 501-1688 (fax)

EPA-305

Alex Barron/DC/USEPA/US

06/04/2012 10:16 AM

To Michael Goo

cc Alexander Cristofaro, Nicole Owens

bcc

Subject Re: Heads up on IG Response

Looks ok to me too. Has AI reviewed?

Michael Goo

looks fine to me---alex? From: Alexand...

06/01/2012 06:08:15 PM

From: Michael Goo/DC/USEPA/US  
To: Alexander Cristofaro/DC/USEPA/US@EPA  
Cc: Alex Barron/DC/USEPA/US@EPA, Nicole Owens/DC/USEPA/US@EPA  
Date: 06/01/2012 06:08 PM  
Subject: Re: Heads up on IG Response

---

looks fine to me---alex?

Alexander Cristofaro

Hi Michael, You and the EPA Scie...

06/01/2012 02:24:01 PM

From: Alexander Cristofaro/DC/USEPA/US  
To: Michael Goo/DC/USEPA/US@EPA  
Cc: Alex Barron/DC/USEPA/US@EPA, Nicole Owens/DC/USEPA/US@EPA  
Date: 06/01/2012 02:24 PM  
Subject: Heads up on IG Response

---

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Alex Cristofaro  
Director, Office of Regulatory Policy and Management  
EPA Mailcode 1804A  
1200 Pennsylvania Avenue, NW  
Washington, D.C. 20460  
(202) 564-7253 (202) 501-1688 (fax)



EPA-306

Michael Goo/DC/USEPA/US

To Alex Barron

06/04/2012 01:06 PM

cc

bcc

Subject Re: Heads up on IG Response

I don't think AI has reviewed.

Alex Barron

----- Original Message -----

**From:** Alex Barron

**Sent:** 06/04/2012 10:16 AM EDT

**To:** Michael Goo

**Cc:** Alexander Cristofaro; Nicole Owens

**Subject:** Re: Heads up on IG Response

Looks ok to me too. Has AI reviewed?

Michael Goo

looks fine to me---alex? From: Alexand...

06/01/2012 06:08:15 PM

From: Michael Goo/DC/USEPA/US

To: Alexander Cristofaro/DC/USEPA/US@EPA

Cc: Alex Barron/DC/USEPA/US@EPA, Nicole Owens/DC/USEPA/US@EPA

Date: 06/01/2012 06:08 PM

Subject: Re: Heads up on IG Response

looks fine to me---alex?

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06/01/2012 02:24:01 PM

From: Alexander Cristofaro/DC/USEPA/US

To: Michael Goo/DC/USEPA/US@EPA

Cc: Alex Barron/DC/USEPA/US@EPA, Nicole Owens/DC/USEPA/US@EPA

Date: 06/01/2012 02:24 PM

Subject: Heads up on IG Response

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[attachment "4\_ GHG Corrective Action Response on Peer Review - DRAFT Memo to AAs and RAs\_SA\_OP\_1st Draft.docx" deleted by Michael Goo/DC/USEPA/US]

The letter, although terse, fulfills your commitment. Are you OK with it?



Alex Cristofaro  
Director, Office of Regulatory Policy and Management  
EPA Mailcode 1804A  
1200 Pennsylvania Avenue, NW  
Washington, D.C. 20460  
(202) 564-7253 (202) 501-1688 (fax)

EPA-308

Alex Barron/DC/USEPA/US  
06/05/2012 10:34 AM

To Al McGartland, Glenn Farber, Peter Nagelhout, Elizabeth  
Kopits  
cc Michael Goo  
bcc  
Subject Fw: RFS2 litigation on use of 2022 volumes/etc as basis for  
LCA

Let's discuss after folks have had a chance to look this over.

A

----- Forwarded by Alex Barron/DC/USEPA/US on 06/05/2012 10:28 AM -----

From: John Hannon/DC/USEPA/US  
To: Alex Barron/DC/USEPA/US@EPA  
Cc: Paul Argyropoulos/DC/USEPA/US@EPA, Karl Simon/DC/USEPA/US@EPA  
Date: 06/05/2012 10:26 AM  
Subject: RFS2 litigation on use of 2022 volumes/etc as basis for LCA

---

Alex, as we discussed, here is the brief filed by EPA in the litigation over the RFS2 rules. (b) (5) (DPP),  
(b) (5) (ACP)

[REDACTED]



CourtLink\_Document\_US-APP-CADC\_10-1107\_idx\_553612\_10.6.2011\_111326512.pdf

John Hannon  
Office of General Counsel  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave. NW (MC 2344A)  
Washington, D.C. 20460  
Phone (202) 564-5563  
Fax (202) 564-5603

EPA-309

Michael Goo/DC/USEPA/US

06/05/2012 11:27 AM

To: Alex Barron

cc

bcc

Subject: Re: RFS2 litigation on use of 2022 volumes/etc as basis for LCA

Fyi I have a lot of respect for Hannon. He took over my slot when I left. Also BTW we should now consider and I say consider using Lorie to help us get ogc air answers.

Alex Barron

----- Original Message -----

**From:** Alex Barron

**Sent:** 06/05/2012 10:34 AM EDT

**To:** Al McGartland; Glenn Farber; Peter Nagelhout; Elizabeth Kopits

**Cc:** Michael Goo

**Subject:** Fw: RFS2 litigation on use of 2022 volumes/etc as basis for LCA

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----- Forwarded by Alex Barron/DC/USEPA/US on 06/05/2012 10:28 AM -----

From: John Hannon/DC/USEPA/US


To: Alex Barron/DC/USEPA/US@EPA

Cc: Paul Argyropoulos/DC/USEPA/US@EPA, Karl Simon/DC/USEPA/US@EPA

Date: 06/05/2012 10:26 AM

Subject: RFS2 litigation on use of 2022 volumes/etc as basis for LCA

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(b) (5) (ACP)



[attachment "CourtLink\_Document\_US-APP-CADC\_10-1107\_idx\_553612\_10.6.2011\_111326512.pdf"]

deleted by Michael Goo/DC/USEPA/US]

John Hannon  
Office of General Counsel  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave. NW (MC 2344A)  
Washington, D.C. 20460  
Phone (202) 564-5563  
Fax (202) 564-5603

EPA-310

Alex Barron/DC/USEPA/US

To "goo michael"

06/05/2012 11:44 AM

cc

bcc

Subject Fw: BCA edits

Fyi - rfs bca edits went to jim this am (b) (5) (DPP). Otaq asked about it at the E15 meeting, I told them the ball was in jim's court.

(b) (5) (DPP)

A

Alex Barron

----- Original Message -----

**From:** Alex Barron

**Sent:** 06/05/2012 10:03 AM EDT

**To:** Jim DeMocker

**Cc:** Al McGartland; Peter Nagelhout; Glenn Farber; Elizabeth Kopits

**Subject:** BCA edits

Jim - Here are some suggested redlines, as requested, to reflect our most recent conversation.

(b) (5) (DPP)

Let us know if you have questions or want to discuss.

Alex



- EO12866\_RFS standards 2060-AQ76 FRM FRN\_20120523\_op 6 5 12.doc

WIF

Ex (b)(5) DPP



EPA-311

Alex Barron/DC/USEPA/US  
06/05/2012 11:44 AM

To: Michael Goo  
cc  
bcc  
Subject: Re: RFS2 litigation on use of 2022 volumes/etc as basis for LCA

I will take a look at this as soon as I'm finished with 316

A

Michael Goo

----- Original Message -----

**From:** Michael Goo

**Sent:** 06/05/2012 11:27 AM EDT

**To:** Alex Barron

**Subject:** Re: RFS2 litigation on use of 2022 volumes/etc as basis for LCA  
Fyi I have a lot of respect for Hannon. He took over my slot when I left. Also BTW we should now consider and I say consider using Lorie to help us get ogc air answers.

Alex Barron

----- Original Message -----

**From:** Alex Barron

**Sent:** 06/05/2012 10:34 AM EDT

**To:** Al McGartland; Glenn Farber; Peter Nagelhout; Elizabeth Kopits

**Cc:** Michael Goo

**Subject:** Fw: RFS2 litigation on use of 2022 volumes/etc as basis for LCA  
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[REDACTED]

[REDACTED]

[REDACTED]

(b) (5) (DPP)



[attachment "CourtLink\_Document\_US-APP-CADC\_10-1107\_idx\_553612\_10.6.2011\_111326512.pdf"  
deleted by Michael Goo/DC/USEPA/US]

John Hannon  
Office of General Counsel  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave. NW (MC 2344A)  
Washington, D.C. 20460  
Phone (202) 564-5563  
Fax (202) 564-5603



EPA-312

**Alex Barron/DC/USEPA/US**

06/06/2012 04:11 PM

To Nicole Owens

cc Michael Goo, Alexander Cristofaro

bcc

Subject Re: Heads up on IG Response

I bounced it off AI, he didn't seem to have issues and suggested that he will work to make sure that NCEE is setting a good example here.

A

Nicole Owens

[Just to close the loop on this AI has not...](#)

06/06/2012 04:08:45 PM

From: Nicole Owens/DC/USEPA/US  
To: Alex Barron/DC/USEPA/US@EPA  
Cc: Michael Goo/DC/USEPA/US@EPA, Alexander Cristofaro/DC/USEPA/US@EPA  
Date: 06/06/2012 04:08 PM  
Subject: Re: Heads up on IG Response

Just to close the loop on this AI has not reviewed this, I don't believe he has been involved in this investigation. I'm happy to send the document to him, if needed. Or, can I tell OSA that they can route this for signature?

Alex Barron

[Looks ok to me too. Has AI reviewed?...](#)

06/04/2012 10:16:43 AM

From: Alex Barron/DC/USEPA/US  
To: Michael Goo/DC/USEPA/US@EPA  
Cc: Alexander Cristofaro/DC/USEPA/US@EPA, Nicole Owens/DC/USEPA/US@EPA  
Date: 06/04/2012 10:16 AM  
Subject: Re: Heads up on IG Response

Looks ok to me too. Has AI reviewed?

Michael Goo

[looks fine to me---alex? From: Alexand...](#)

06/01/2012 06:08:15 PM

From: Michael Goo/DC/USEPA/US  
To: Alexander Cristofaro/DC/USEPA/US@EPA  
Cc: Alex Barron/DC/USEPA/US@EPA, Nicole Owens/DC/USEPA/US@EPA  
Date: 06/01/2012 06:08 PM  
Subject: Re: Heads up on IG Response

looks fine to me---alex?

Alexander Cristofaro

[Hi Michael, You and the EPA Scie...](#)

06/01/2012 02:24:01 PM

From: Alexander Cristofaro/DC/USEPA/US  
To: Michael Goo/DC/USEPA/US@EPA  
Cc: Alex Barron/DC/USEPA/US@EPA, Nicole Owens/DC/USEPA/US@EPA  
Date: 06/01/2012 02:24 PM  
Subject: Heads up on IG Response

Hi Michael,

You and the EPA Science Advisor committed to write a joint memorandum by June 30 to the AAs in response to the OIG report on the endangerment finding. (

[http://www.epa.gov/oig/reports/2012/11-P-0702\\_Agency\\_Response.pdf](http://www.epa.gov/oig/reports/2012/11-P-0702_Agency_Response.pdf)).

The memorandum is to instruct programs to include language in preambles certifying peer review was conducted in accordance with OMB's bulletin on peer review; and to include a statement in action memos regarding adherence to our peer review policy.

OSA has taken the lead and drafted the following memo in response to these two recommendations. This has been reviewed by **the Science Advisor who will mention the memo to the DA at a briefing on June 5**. If possible, OSA would like official OP comments prior to the meeting with the DA. The draft is attached below.

[attachment "4\_ GHG Corrective Action Respose on Peer Review - DRAFT Memo to AAs and RAs\_SA\_OP\_1st Draft.docx" deleted by Michael Goo/DC/USEPA/US]

The letter, although terse, fulfills your commitment. Are you OK with it?

Alex Cristofaro  
Director, Office of Regulatory Policy and Management  
EPA Mailcode 1804A  
1200 Pennsylvania Avenue, NW  
Washington, D.C. 20460  
(202) 564-7253 (202) 501-1688 (fax)

EPA-313

Alex Barron/DC/USEPA/US

06/07/2012 12:48 PM

To "Paul Balserak", "Barry Elman"

cc "goo michael"

bcc

Subject Fw: NSPS transitionals

Sandy Germann

----- Original Message -----

**From:** Sandy Germann

**Sent:** 06/07/2012 12:42 PM EDT

**To:** Alex Barron

**Subject:** Re: NSPS transitionals

Alex, rather than sending a 23 page doc...do you want to get the brief online? It's at:

[http://insideepa.com//index.php?option=com\\_iwpfile&file=jun2012/epa2012\\_1020.pdf](http://insideepa.com//index.php?option=com_iwpfile&file=jun2012/epa2012_1020.pdf)

Alex Barron

I heard there was an inside EPA story a...

06/07/2012 10:48:06 AM

From: Alex Barron/DC/USEPA/US  
To: Sandy Germann/RTP/USEPA/US@EPA  
Date: 06/07/2012 10:48 AM  
Subject: NSPS transitionals

---

I heard there was an inside EPA story about a group of folks planning to build new coal plants who have formed their own group and are filing briefs. Can you track down that story and (if possible) the briefs?

Thanks,  
A

EPA-314

Alex Barron/DC/USEPA/US

06/13/2012 02:43 PM

To Michael Goo

cc Al McGartland, Lesley Schaaff, Glenn Farber, Peter  
Nagelhout, Elizabeth Kopits

bcc

Subject options for RFS

MG - Recognizing that this conversation could restart at any time, this may be handy to have all this info in one place. I've built off of the excellent staff work over the last few months, but have not had time to run it past them. (Folks, please chime in if there are errors!)

A



options for RFS next steps 6 13 12 draft.pptx

WIF

Ex (b)(5) DPP

EPA-315

Alex Barron/DC/USEPA/US

06/13/2012 04:01 PM

To Michael Goo

cc Robin Kime

bcc

Subject options for BBD next steps 6 13 12

Slimmed down package. I cut several slides and added a largely qualitative slide on environmental benefits at the very end just as a reminder...

A



options for BBD next steps 6 13 12 v2.pptx

WIF

Ex (b)(5) DPP

EPA-316

Alex Barron/DC/USEPA/US

06/14/2012 12:25 PM

To Michael Goo

cc Robin Kime

bcc

Subject options for BBD next steps 6 14 12 v3

Here's the updated version of the slide deck, and a word version of the FT article on cane imports.

Robin - We should find out how many copies of this MG will need and get those running.

A



FT article on brazilian cane etoh.docx



- options for BBD next steps 6 14 12 v3.pptx

WIF

Ex (b)(5) DPP

EPA-317

Alex Barron/DC/USEPA/US

06/14/2012 02:40 PM

To Michael Goo

cc Robin Kime

bcc

Subject BBD BCA info



RFS BCA bottom line.doc BCA slides 6 14 12.pptx

WIF

Ex (b)(5) DPP



WIF

Ex (b)(5) DPP

EPA-318

Michael Goo/DC/USEPA/US

06/14/2012 02:50 PM

To Lawrence Elworth, Alex Barron

cc

bcc

Subject Fw: BBD BCA info

Here are the docs=---for obvious reasons pls don;t share with anyone---I will share with Bob P.

----- Forwarded by Michael Goo/DC/USEPA/US on 06/14/2012 02:49 PM -----

From: Alex Barron/DC/USEPA/US  
To: Michael Goo/DC/USEPA/US@EPA  
Cc: Robin Kime/DC/USEPA/US@EPA  
Date: 06/14/2012 02:40 PM  
Subject: BBD BCA info

---



RFS BCA bottom line.doc

WIF

Ex (b)(5) DPP



BCA slides 6 14 12.pptx

WIF

Ex (b)(5) DPP



EPA-319

Alex Barron/DC/USEPA/US  
06/19/2012 11:00 AM

To: Al McGartland  
cc: Michael Goo  
bcc:  
Subject: Edits to 2013 BBD FRM pkg

AI - (b) (5) (DPP)

[REDACTED]

[REDACTED]

Alex



120618 - EO12866\_RFS standards 2060-AQ76 FRM FRN\_20120523\_oar 120618 ab adds.doc

WIF

Ex (b)(5) DPP

EPA-320

Michael Goo/DC/USEPA/US

06/21/2012 12:53 AM

To "Alex Barron"

cc

bcc

Subject Fw: Query on EPA final rule re RFS Additional Fuel Pathways

There's an unholy alliance

---

**From:** "St John, Karen" [karen.stjohn@bp.com]

**Sent:** 06/20/2012 10:49 PM CET

**To:** Michael Goo

**Cc:** "Scotti, Ruth" <Ruth.Scotti@bp.com>

**Subject:** Query on EPA final rule re RFS Additional Fuel Pathways

Michael –

BP Biofuels has been working very constructively with OTAQ on qualifying 2 new cellulosic pathways in the RFS program – namely energy cane and napiergrass feedstocks. My understanding is that the rule should be going over to OMB shortly. I wanted to check in and see if you needed any additional information from BP Biofuels, and whether you could give us a steer on timing of the process.

BP Biofuels is committed to developing commercial production of cellulosic biofuels derived from energy cane and napiergrass. We are aiming to build our first plant in Florida anticipating to be on-line by 2014. Our crop cultivation has been under way for the past 2 years as part of this plant.

Before we can move further with construction, we need to obtain the final rule approving these additional cellulosic pathways, which is on the critical path in order to meet a 2014 schedule.

We have really appreciated the work EPA has done on this rulemaking. If there is anything we can provide, please let me know (I am also copying my BP Biofuels colleague on this note, Ruth Scotti). We look forward to hearing from you soon on your best judgment on process moving forward for your final review and approval and submittal to OMB. Thank you.

Karen StJohn

BP America

Washington DC

stjohnk@bp.com

1.202.4576594 (office)

1.202.3511399 (cell)

EPA-321

Alex Barron/DC/USEPA/US

06/21/2012 07:37 AM

To Michael Goo

cc

bcc

Subject Re: Query on EPA final rule re RFS Additional Fuel Pathways

(b) (5) (DPP)

A

---

**From:** Michael Goo

**Sent:** 06/21/2012 12:53 AM EDT

**To:** Alex Barron

**Subject:** Fw: Query on EPA final rule re RFS Additional Fuel Pathways

There's an unholy alliance

---

**From:** "St John, Karen" [karen.stjohn@bp.com]

**Sent:** 06/20/2012 10:49 PM CET

**To:** Michael Goo

**Cc:** "Scotti, Ruth" <Ruth.Scotti@bp.com>

**Subject:** Query on EPA final rule re RFS Additional Fuel Pathways

Michael –

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We have really appreciated the work EPA has done on this rulemaking. If there is anything we can provide, please let me know (I am also copying my BP Biofuels colleague on this note, Ruth Scotti). We look forward to hearing from you soon on your best judgment on process moving forward for your final review and approval and submittal to OMB. Thank you.

Karen StJohn  
BP America  
Washington DC

stjohnk@bp.com

1.202.4576594 (office)

1.202.3511399 (cell)

EPA-322

Alex Barron/DC/USEPA/US

06/25/2012 11:17 AM

To Michael Goo

cc Robin Kime, Shannon Kenny

bcc

Subject TPs for upcoming hearings

Michael - FYI Here are a bunch of the TP's I've been working on. The health-unemployment and Coal TPs are still in draft form, pending input from other key folks. The rest have gone on to OCIR.

Alex



Cumulative Impacts of Regulations TPs 6 20 12 draft.docxOP Retro Review TPs June 28 HST draft.docx



OP Sustainability TPs 6 28 HST draft.docx Fishbowl memo 6 28 HST draft.docx



General TPs on BCA 6 23 12 draft.doc HealthUnemployment TP draft 6 22 12.doc



Employment Analysis TPs DRAFT (9-13-11) arb.docxCumulative Impacts of Regulations TPs 6 4 12 draft.docx



Future of Coal TPs 6 18 12 draft.docx

All attachments

WIF, Ex (b)(5) DPP

EPA-324

Alex Barron/DC/USEPA/US

06/25/2012 06:24 PM

To Michael Goo

cc Al McGartland

bcc

Subject RFS edits

Michael - (b) (5) (DPP)



A



- 120625 - EO12866\_RFS standards 2060-AQ76 FRM FRN\_20120523\_rls0 5-15pm for Goo.docx

WIF

Ex (b)(5) DPP

EPA-325

Alex Barron/DC/USEPA/US

06/27/2012 12:01 PM

To Michael Goo

cc Al McGartland, Peter Nagelhout, Elizabeth Kopits, Glenn Farber

bcc

Subject Fw: Revised version w/ OP requested edits - RFS Volume Standards 2013 SAN 5615

(b) (5) (DPP)

A large rectangular area of the email body is completely redacted with black ink. The redaction covers approximately 80% of the page content below the header. The text "(b) (5) (DPP)" is written in red at the top left of this redacted area.

(b) (5) (DPP)



----- Forwarded by Alex Barron/DC/USEPA/US on 06/27/2012 11:27 AM -----

From: Eileen Pritchard/DC/USEPA/US  
To: Glenn Farber/DC/USEPA/US@EPA  
Cc: Alex Barron/DC/USEPA/US@EPA  
Date: 06/27/2012 11:21 AM  
Subject: Fw: Revised version w/ OP requested edits - RFS Volume Standards 2013 SAN 5615

---

\*\*\*\*\*

Eileen Pritchard  
EPA/OP/ORPM  
1200 Pennsylvania Ave, NW  
Room 3521-C  
Mailcode 1804-A  
Washington, DC 20460  
(202)564-6578  
(202)566-0268 - FAX  
email: pritchard.eileen@epa.gov




----- Forwarded by Eileen Pritchard/DC/USEPA/US on 06/27/2012 11:19 AM -----

---

Access & Creation Information

**Response**

Re: Policy Review #1 for 5615: NPRM - OMB Review > 

---

---

Response Information

**Response:** Revised version w/ OP requested edits

**Name:** Nathaniel Jutras/DC/USEPA/US

**Organization:** RMD

---

Content



EO12866\_RFS standards 2060-AR43 NPRM FRN\_20120626.docx

WIF

Ex (b)(5) DPP

---

Note: Deliberative...Not Agency Policy...Do Not Quote, Cite or Distribute

EPA-326

Michael Goo/DC/USEPA/US

06/27/2012 12:55 PM

To "Alex Barron"

cc

bcc

Subject Fw: RFS

Gina McCarthy

----- Original Message -----

**From:** Gina McCarthy

**Sent:** 06/27/2012 12:47 PM EDT

**To:** "Michael Goo" <goo.michael@epa.gov>

**Subject:** RFS

(b) (5) (DPP)



EPA-327

Michael Goo/DC/USEPA/US

06/27/2012 04:53 PM

To Alex Barron

cc

bcc

Subject Fw: RFS

----- Forwarded by Michael Goo/DC/USEPA/US on 06/27/2012 04:52 PM -----

From: Gina McCarthy/DC/USEPA/US  
To: "Michael Goo" <goo.michael@epa.gov>  
Date: 06/27/2012 03:22 PM  
Subject: Re: RFS

---

(b) (5) (DPP)



From: Gina McCarthy/DC/USEPA/US  
To: "Michael Goo" <goo.michael@epa.gov>  
Date: 06/27/2012 12:47 PM  
Subject: RFS

---

(b) (5) (DPP)



EPA-328

Alex Barron/DC/USEPA/US

06/29/2012 03:25 PM

To Nicole Owens

cc Alexander Cristofaro, Michael Goo

bcc

Subject Fw: Revised version - Laden added in - RFS Biomass (SAN 5531.1)

(b) (5) (DPP)

A

----- Forwarded by Alex Barron/DC/USEPA/US on 06/29/2012 03:20 PM -----

From: Eileen Pritchard/DC/USEPA/US  
To: Glenn Farber/DC/USEPA/US@EPA  
Cc: Alex Barron/DC/USEPA/US@EPA  
Date: 06/28/2012 03:24 PM  
Subject: Fw: Revised version - Laden added in - RFS Biomass (SAN 5531.1)


\*\*\*\*\*

Eileen Pritchard  
EPA/OP/ORPM  
1200 Pennsylvania Ave, NW  
Room 3521-C  
Mailcode 1804-A  
Washington, DC 20460  
(202)564-6578  
(202)566-0268 - FAX  
email: pritchard.eileen@epa.gov

----- Forwarded by Eileen Pritchard/DC/USEPA/US on 06/28/2012 03:23 PM -----

#### Access & Creation Information

### Response

Re: Policy Review #1 for 5531.1: Final - OMB Review > 

#### Response Information

Response: Revised version - Laden added in

Name: Nathaniel Jutras/DC/USEPA/US

Organization: RMD

#### Content



EO12866\_RFS standards 2060-AQ76 FRM FRN\_20120628.docx

WIF

Ex (b)(5) DPP

Note: Deliberative...Not Agency Policy...Do Not Quote, Cite or Distribute

EPA-329

Alex Barron/DC/USEPA/US

06/29/2012 06:58 PM

To "goo michael"

cc "Robin Kime"

bcc

Subject Fw: GAO response letter DRAFT 6-29-12 6pm

For your review as well.

A

Joel Beauvais

----- Original Message -----

**From:** Joel Beauvais

**Sent:** 06/29/2012 06:17 PM EDT

**To:** Alex Barron; Ellen Kurlansky

**Subject:** GAO response letter DRAFT 6-29-12 6pm

Alex, Ellen - After talking to Ellen about her conversation with Mark, I tweaked this just a bit - (b) (5)  
[REDACTED]. I am now  
sending this along to Gina.

Joel



- GAO response letter DRAFT 6-29-12 6pm.docx WIF  
Ex (b)(5) DPP

EPA-330

Michael Goo/DC/USEPA/US  
07/05/2012 11:04 AM

To Robin Kime, "Alex Barron"  
cc  
bcc  
Subject Re: Could you reply to a second message shortly? re:  
Response by EPA to GAO report re: EPA's power plant rules

Approved  
Robin Kime

----- Original Message -----

**From:** Robin Kime  
**Sent:** 07/05/2012 10:51 AM EDT  
**To:** Michael Goo  
**Subject:** Could you reply to a second message shortly? re: Response by EPA  
to GAO report re: EPA's power plant rules

Hi,

We need to get this response signed by the DA today and sent to GAO. Alex B briefed Bob P yesterday- were you there? The response is being entered into the system and will move faster if we have an email from you saying you approve of the response going to the DA for signature. I don't mean to force your hand- can call you, have Alex B call you, whatever you prefer just let me know, thanks.

(b)(5) (DPP)



(b)(5) (DPP) [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

(b)(5) (DPP)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



(b)(5) (DPP)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(b)(5) (DPP)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(b)(5) (DPP)

EPA-331

Alex Barron/DC/USEPA/US

07/05/2012 02:48 PM

To Michael Goo

cc Robin Kime, Al McGartland

bcc

Subject Re: CNG bonus credits & upstream EV emissions accounting

Just FYI - (b) (5) (DPP)

[REDACTED]

[REDACTED]

[REDACTED]

A

Heather Klemick

Hi Alex, (b)(5) (DPP)

07/05/2012 12:00:59 PM

From: Heather Klemick/DC/USEPA/US  
To: Alex Barron/DC/USEPA/US@EPA  
Cc: Ann Wolverton/DC/USEPA/US@EPA, Al McGartland/DC/USEPA/US@EPA, Jennifer Bowen/DC/USEPA/US@EPA  
Date: 07/05/2012 12:00 PM  
Subject: CNG bonus credits & upstream EV emissions accounting

---

Hi Alex,

(b) (5) (DPP)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(b) (5) (DPP)

Thanks,  
Heather & Ann

EPA-332

Alex Barron/DC/USEPA/US

07/05/2012 09:07 PM

To Michael Goo

cc Robin Kime, Karen Thundiyil, Charlotte Bertrand

bcc

Subject Fw: Re: MATS calculation datasheets, ICAC comments, CEMS info

Resending so you have this in the AM.

-----Forwarded by Alex Barron/DC/USEPA/US on 07/05/2012 09:05PM -----

To: Michael Goo/DC/USEPA/US@EPA, Alexander Cristofaro/DC/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA, Charlotte Bertrand/DC/USEPA/US, Paul Balserak/DC/USEPA/US@EPA  
From: Karen Thundiyil/DC/USEPA/US  
Date: 05/29/2012 06:09PM  
Subject: Re: MATS calculation datasheets, ICAC comments, CEMS info

ICAC, representing the approximately 100 companies that comprise nearly all the suppliers of air pollution control equipment and systems as well as measurement and detection equipment, supports a new Hg limit of **0.003lb/GWh** *"Such a level can be supported by the available data and can be confidently measured by the systems that are available under EPA's Rule to demonstrate continuous compliance, allowing achievement of these levels using state-of-the-art emission control systems."*

EPA finalized **0.0002 lbs/GWh** of Hg for new sources and **0.013 lbs/GWh** for existing sources.

*EPA therefore should revise the new source Hg standard to address the real world constraints of available monitoring equipment. One possible alternative would be to base a revised standard on NIST protocols. As noted above, there is no NIST protocol for traceability of Hg generators below 0.5 ug/m<sup>3</sup>. If this limitation is translated into an output-based standard, the resulting standard would be at least 4.35E-3 lb/GWh. The experience of ICAC member companies, however, indicates that a more stringent level of 3.0E-3 lb/GWh is supportable. Through extensive testing and field experience with the available monitoring equipment, ICAC believes that a level of 3.0E lb/GWh would yield the necessary level of assurance that plant operators require and that our industry can support through vendor guarantees. This level would also reflect the fact that we would expect facility operators to substantially under run any limitation. (See attached file: ICAC\_Petition for Reconsideration\_MATS\_041612.pdf)*

Inactive hide details for Karen Thundiyil--05/29/2012 05:24:02 PM---Hello, Below you find links to the data files describing tKaren Thundiyil--05/29/2012 05:24:02 PM---Hello, Below you find links to the data files describing the MACT floor calculations:

From: Karen Thundiyil/DC/USEPA/US

To: Michael Goo/DC/USEPA/US@EPA, Alexander Cristofaro/DC/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA, Charlotte Bertrand/DC/USEPA/US, Paul Balserak/DC/USEPA/US@EPA

Cc: Lesley Schaaff/DC/USEPA/US@EPA


Date: 05/29/2012 05:24 PM

Subject: MATS calculation datasheets, ICAC comments

---

Hello,

Below you find links to the data files describing the MACT floor calculations:

|          |                                                                                                                                                                                                                                      |                                                                                     |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| 12/16/11 | MACT Floor Analysis-Coal Hg<br><a href="http://www.epa.gov/ttn/atw/utility/a2_coal_hg_mact_floor_analysis_121611.xlsx">http://www.epa.gov/ttn/atw/utility/a2_coal_hg_mact_floor_analysis_121611.xlsx</a>                             |  |
| 12/16/11 | MACT Floor Analysis-Coal acid gas - HCl<br><a href="http://www.epa.gov/ttn/atw/utility/a3_coal_acid_gases_mact_floor_analysis_121611.xlsx">http://www.epa.gov/ttn/atw/utility/a3_coal_acid_gases_mact_floor_analysis_121611.xlsx</a> |  |
| 12/16/11 | MACT Floor Analysis-Coal HAP metals - PM<br><a href="http://www.epa.gov/ttn/atw/utility/a4_coal_pm_metal_mact_floor_analysis_121611.xlsx">http://www.epa.gov/ttn/atw/utility/a4_coal_pm_metal_mact_floor_analysis_121611.xlsx</a>    |  |

Based on OAQPS's ordering of facilities, Nucla (small facility in Colorado) is the next lowest Hg emissions facility after Logan. There appears to be a bit more data available for Nucla than what's available with Logan. See the Hg\_Avg\_>8300 Btulb\_MW tab.

Attached are ICAC's public comments plus their petition for reconsideration:

[attachment "ICAC\_-17622.pdf" deleted by Karen Thundiyil/DC/USEPA/US] [attachment "ICAC\_Petition for Reconsideration\_MATS\_041612.pdf" deleted by Karen Thundiyil/DC/USEPA/US]  
Amongst other things ICAC says:

ICAC supports the EPA's final MACT standards for existing facilities and our member companies stand ready to assist electric generating units ("EGUs") in meeting these standards. After close review of the final MACT standards for new sources, however, ICAC believes that the basis for one of the new source Hg standards (New-Unit not low rank virgin coal) is flawed since it fails to address the inability of emission monitoring equipment to continuously monitor extremely low concentrations of Hg in flue gas under a wide range of operating conditions. This makes the equipment unable to provide critical feedback data for

operation of the Hg control system.  - ICAC\_Petition for Reconsideration\_MATS\_041612.pdf

EPA-333

Michael Goo/DC/USEPA/US

07/05/2012 09:26 PM

To Alex Barron

cc Robin Kime, Karen Thundiyil, Charlotte Bertrand

bcc

Subject Re: Re: MATS calculation datasheets, ICAC comments, CEMS info

Thanks. I will print out and give/explain them to Bob P.

---

**From:** Alex Barron

**Sent:** 07/05/2012 09:07 PM EDT

**To:** Michael Goo

**Cc:** Robin Kime; Karen Thundiyil; Charlotte Bertrand

**Subject:** Fw: Re: MATS calculation datasheets, ICAC comments, CEMS info

Resending so you have this in the AM.

-----Forwarded by Alex Barron/DC/USEPA/US on 07/05/2012 09:05PM -----

To: Michael Goo/DC/USEPA/US@EPA, Alexander Cristofaro/DC/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA, Charlotte Bertrand/DC/USEPA/US, Paul Balserak/DC/USEPA/US@EPA  
From: Karen Thundiyil/DC/USEPA/US

Date: 05/29/2012 06:09PM

Subject: Re: MATS calculation datasheets, ICAC comments, CEMS info

ICAC, representing the approximately 100 companies that comprise nearly all the suppliers of air pollution control equipment and systems as well as measurement and detection equipment, supports a new Hg limit of **0.003lb/GWh** "Such a level can be supported by the available data and can be confidently measured by the systems that are available under EPA's Rule to demonstrate continuous compliance, allowing achievement of these levels using state-of-the-art emission control systems."

EPA finalized **0.0002 lbs/GWh** of Hg for new sources and **0.013 lbs/GWh** for existing sources.

*EPA therefore should revise the new source Hg standard to address the real world constraints of available monitoring equipment. One possible alternative would be to base a revised standard on NIST protocols. As noted above, there is no NIST protocol for traceability of Hg generators below 0.5 ug/m<sup>3</sup>. If this limitation is translated into an output-based standard, the resulting standard would be at least 4.35E-3 lb/GWh. <sup>3</sup> The experience of ICAC member companies, however, indicates that a more stringent level of 3.0E-3 lb/GWh is supportable. Through extensive testing and field experience with the available monitoring equipment, ICAC believes that a level of 3.0E lb/GWh would yield the necessary level of assurance that plant operators require and that our industry can support through vendor guarantees. This level would also reflect the fact that we would expect facility operators to substantially under run any limitation. (See attached file: ICAC\_Petition for Reconsideration\_MATS\_041612.pdf)*

Karen Thundiyil---05/29/2012 05:24:02 PM---Hello, Below you find links to the data files describing the



MACT floor calculations:

From: Karen Thundiyil/DC/USEPA/US  
To: Michael Goo/DC/USEPA/US@EPA, Alexander Cristofaro/DC/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA, Charlotte Bertrand/DC/USEPA/US, Paul Balserak/DC/USEPA/US@EPA  
Cc: Lesley Schaaff/DC/USEPA/US@EPA  
Date: 05/29/2012 05:24 PM  
Subject: MATS calculation datasheets, ICAC comments

---

Hello,

Below you find links to the data files describing the MACT floor calculations:

|          |                                                                                                                                                                                                                                      |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 12/16/11 | MACT Floor Analysis-Coal Hg<br><a href="http://www.epa.gov/ttn/atw/utility/a2_coal_hg_mact_floor_analysis_121611.xlsx">http://www.epa.gov/ttn/atw/utility/a2_coal_hg_mact_floor_analysis_121611.xlsx</a>                             |
| 12/16/11 | MACT Floor Analysis-Coal acid gas - HCl<br><a href="http://www.epa.gov/ttn/atw/utility/a3_coal_acid_gases_mact_floor_analysis_121611.xlsx">http://www.epa.gov/ttn/atw/utility/a3_coal_acid_gases_mact_floor_analysis_121611.xlsx</a> |
| 12/16/11 | MACT Floor Analysis-Coal HAP metals - PM<br><a href="http://www.epa.gov/ttn/atw/utility/a4_coal_pm_metal_mact_floor_analysis_121611.xlsx">http://www.epa.gov/ttn/atw/utility/a4_coal_pm_metal_mact_floor_analysis_121611.xlsx</a>    |

Based on OAQPS's ordering of facilities, Nucla (small facility in Colorado) is the next lowest Hg emissions facility after Logan. There appears to be a bit more data available for Nucla than what's available with Logan. See the Hg\_Avg\_>8300 Btulf\_MW tab.

Attached are ICAC's public comments plus their petition for reconsideration:

[attachment "ICAC\_-17622.pdf" deleted by Karen Thundiyil/DC/USEPA/US] [attachment "ICAC\_Petition for Reconsideration\_MATS\_041612.pdf" deleted by Karen Thundiyil/DC/USEPA/US]  
Amongst other things ICAC says:

ICAC supports the EPA's final MACT standards for existing facilities and our member companies stand ready to assist electric generating units ("EGUs") in meeting these standards. After close review of the final MACT standards for new sources, however, ICAC believes that the basis for one of the new source Hg standards (New-Unit not low rank virgin coal) is flawed since it fails to address the inability of emission monitoring equipment to continuously monitor extremely low concentrations of Hg in flue gas under a wide range of operating conditions. This makes the equipment unable to provide critical feedback data for operation of the Hg control system.

EPA-334

Alex Barron/DC/USEPA/US

07/09/2012 04:32 PM

To Michael Goo

cc Heather Klemick, Ann Wolverton, William Nickerson, Al  
McGartland

bcc

Subject Suggested writeup on LDV issues

(b) (5) (DPP)

---

From: Ann Wolverton/DC/USEPA/US  
To: Robin Moran/AA/USEPA/US@EPA  
Cc: John Hannon/DC/USEPA/US@EPA, Steven Silverman/DC/USEPA/US@EPA, William  
Charmley/AA/USEPA/US@EPA  
Date: 05/03/2012 11:39 AM  
Subject: Re: OP's request for discussion on EV upstream and CNG

(b) (5) (DPP)

Ann

Robin Moran

Hi Ann, (b) (5) (DPP)

05/03/2012 09:37:09 AM

From: Robin Moran/AA/USEPA/US

To: Ann Wolverton/DC/USEPA/US@EPA  
Cc: William Charmley/AA/USEPA/US@EPA, Steven Silverman/DC/USEPA/US@EPA, John Hannon/DC/USEPA/US@EPA  
Date: 05/03/2012 09:37 AM  
Subject: OP's request for discussion on EV upstream and CNG

---

Hi Ann, (b) (5) (DPP)

[REDACTED]

[REDACTED]

[REDACTED]

Thanks,  
Robin

Robin Moran  
Senior Policy Advisor  
Assessment and Standards Division  
U.S. EPA, Office of Transportation and Air Quality  
2000 Traverwood Dr.  
Ann Arbor, MI 48105  
(734) 214-4781  
(734) 214-4821 (fax)

EPA-335

Alex Barron/DC/USEPA/US  
07/09/2012 05:02 PM

To: Michael Goo  
cc: Al McGartland, Ann Wolverton, Heather Klemick  
bcc:  
Subject: FYI: EDF requested we use both Pope and Laden

(b) (5) (DPP)

A

----- Forwarded by Ann Wolverton/DC/USEPA/US on 07/09/2012 04:58 PM -----

From: Robin Moran/AA/USEPA/US  
To: Ann Wolverton/DC/USEPA/US@EPA  
Cc: Ken Davidson/DC/USEPA/US@EPA, Heather Klemick/DC/USEPA/US@EPA, William Charmley/AA/USEPA/US@EPA  
Date: 07/09/2012 04:40 PM  
Subject: Re: one additional comment

Hi Ann,

Sorry that I never got back to you about your question on the public comments about the Pope-Laden values. We did receive one comment from EDF on how we present the PM-related non-GHG benefits. Here is their comment:

"EDF requests that EPA present the results based on both the Pope et al. and the Laden studies to ensure that a more transparent and comprehensive estimate of the monetized health benefits of air quality improvements are developed."

(b) (5) (DPP)

Let me know if you have further questions.

Robin

Ann Wolverton

Hi Robin, (b)(5) (DPP)

07/09/2012 02:29:35 PM

From: Ann Wolverton/DC/USEPA/US  
To: Robin Moran/AA/USEPA/US@EPA, William Charmley/AA/USEPA/US@EPA  
Cc: Heather Klemick/DC/USEPA/US@EPA, Gloria Helfand/AA/USEPA/US@EPA

Date: 07/09/2012 02:29 PM  
Subject: one additional comment

---

[attachment "NCEE Comments on TSD - 1,2, and parts of 4\_updated.docx" deleted by Robin Moran/AA/USEPA/US]

Hi Robin,

(b) (5) (DPP)



Thanks,

Ann

EPA-336

Alex Barron/DC/USEPA/US

07/10/2012 06:35 PM

To Michael Goo

cc Peter Nagelhout, Glenn Farber, Al McGartland, Alexander  
Cristofaro, Robin Kime

bcc

Subject RFS pathways

Some draft text below based on our conversation. Let me know if you have corrections/issues.

(b) (5) (DPP)



A

-----

(b) (5) (DPP)



(b) (5) (DPP)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(b) (5) (DPP)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



EPA-338

Alex Barron/DC/USEPA/US

07/11/2012 08:57 AM

To Michael Goo

cc Al McGartland, Alexander Cristofaro, Robin Kime

bcc

Subject Re: Fw: LDV Rule

A few initial thoughts before I bike in (a little late as my computer crashed the first draft of this). Absent direction from you, I assume we will want to file the FAR memo as planned.

(b) (5)  
(DPP)



A

EPA-339

Michael Goo/DC/USEPA/US

07/11/2012 10:20 AM

To "Alex Barron"

cc

bcc

Subject Fw: CCS Permitt requirements for Taylorville plant

Bob Sussman

----- Original Message -----

**From:** Bob Sussman

**Sent:** 07/11/2012 09:16 AM EDT

**To:** Gina McCarthy; Joe Goffman (goffman.joseph@epamail.mail.gov)  
<goffman.joseph@epamail.mail.gov>; Janet McCabe; Michael Goo

**Cc:** Bob Perciasepe

**Subject:** CCS Permitt requirements for Taylorville plant

Gina -- (b) (5) (DPP), (b) (5) (ACP)



## Illinois Pulls Permit To Weigh Novel EPA Call For CCS As GHG Control Option

Posted: July 10, 2012

The Illinois Environmental Protection Agency (IEPA) has taken the unusual step of withdrawing its air permit for a proposed coal gasification facility after EPA Region V officials urged the state to reconsider its decision rejecting carbon capture and sequestration (CCS) as best available control technology (BACT) for greenhouse gases (GHGs).

EPA Region V Administrator Susan Hedman told state officials in a [letter last month](#) that agency guidance for determining BACT for GHGs allows for consideration of flexible approaches to permitting CCS projects, including "adjustable" permit limits -- a precedent-setting approach that environmentalists say could help planned CCS projects win financing.

One environmentalist says the agency's push for consideration of CCS shows EPA officials are not going to let states duck reviews to consider the technology. "EPA has made clear that CCS is here to stay," the source says.

IEPA July 6 formally withdrew the prevention of significant deterioration permit (PSD) it had issued April 30 for Christian County Generation to build a 630-megawatt coal-gasification power plant in Taylorville, IL, that would have voluntarily captured and sequestered the GHG emissions.

But the state permit did not set a mandatory GHG limit reflecting the capture, prompting a

challenge before EPA's Environmental Appeals Board (EAB) from environmentalists who feared the permit set a [bad precedent](#) allowing regulators to avoid mandating CCS capture rates in GHG permits at similar projects.

BACT is a level of emissions controls that the Clean Air Act requires for inclusion in PSD permits. Permit writers must conduct top-down BACT reviews, meaning they must consider technology required in other permits and either mandate the same or explain why it is infeasible.

But EPA has only issued guidance for how to conduct BACT reviews for GHGs, giving state permit writers discretion in how they conduct their reviews.

In the Christian County case, the project's developer originally opposed environmentalists' requests that the permit mandate CCS as BACT over concerns that the facility would be out of compliance with its permit if the CCS equipment failed. At the 11th hour, the developers agreed to accept an emissions limit reflecting a mandatory 90 percent GHG cut but wanted conditions imposed that IEPA said it could not control.

As a result, the final permit rejected CCS as infeasible and set a GHG limit of 111.4 tons per million standard cubic feet of synthetic natural gas, or about 5 million tons per year, as opposed to the 11.14 tons per million standard cubic feet that would be emitted if the CCS technology was operational.

Robert M. Sussman  
Senior Policy Counsel to the Administrator  
Office of the Administrator  
US Environmental Protection Agency

EPA-340

Alex Barron/DC/USEPA/US  
07/11/2012 10:58 AM

To Michael Goo  
cc  
bcc

Subject Fw: Can you send me the RIA chapter where we discuss  
upstream EV emissions

----- Forwarded by Alex Barron/DC/USEPA/US on 07/11/2012 10:58 AM -----

From: Heather Klemick/DC/USEPA/US  
To: Alex Barron/DC/USEPA/US@EPA  
Cc: Ann Wolverton/DC/USEPA/US@EPA  
Date: 07/11/2012 10:55 AM  
Subject: Re: Can you send me the RIA chapter where we discuss upstream EV emissions

[REDACTED] (b)  
(5)  
(D  
PP)

[REDACTED]



LDV Preamble Section III\_to WG\_7-2-12 HK.docx WIF  
Ex (b)(5) DPP

Alex Barron

(b)(5) (DPP)

07/11/2012 10:44:32 AM

From: Alex Barron/DC/USEPA/US  
To: Ann Wolverton/DC/USEPA/US@EPA, Heather Klemick/DC/USEPA/US@EPA  
Date: 07/11/2012 10:44 AM  
Subject: Can you send me the RIA chapter where we discuss upstream EV emissions

(b) (5) (DPP)

A

EPA-341

Alex Barron/DC/USEPA/US  
07/11/2012 12:28 PM

To "goo michael"  
cc "Robin Kime"  
bcc  
Subject Fw: ORD FAR Memo for LDV GHG CAFE MY 2017-2025 Rule

(b) (5) (DPP)

A

Ann Wolverton

----- Original Message -----

**From:** Ann Wolverton  
**Sent:** 07/11/2012 12:19 PM EDT  
**To:** Alex Barron  
**Cc:** Heather Klemick  
**Subject:** Fw: ORD FAR Memo for LDV GHG CAFE MY 2017-2025 Rule

Sent from BlackBerry. Please excuse any typos.  
Larke Williams

----- Original Message -----

**From:** Larke Williams  
**Sent:** 07/11/2012 11:25 AM EDT  
**To:** Nathaniel Jutras  
**Cc:** Robin Moran; Robert Fegley; Tim Benner  
**Subject:** ORD FAR Memo for LDV GHG CAFE MY 2017-2025 Rule

Hi Nate,

Attached is the ORD FAR memo. Please let me know if you have any questions.



WIF

LDV GHG-CAFE 2017-2025 F-FAR Memo.pdf Ex (b)(5) DPP

Cheers,  
Larke Williams  
Air Team, Office of Science Policy  
USEPA Office of Research and Development  
Ph: 202-564-0664, Fax: 202-565-2911

EPA-342

Alex Barron/DC/USEPA/US

07/11/2012 03:16 PM

To Michael Goo

cc Ann Wolverton, Al McGartland, Heather Klemick, William Nickerson

bcc

Subject Peer-reviewed article on LDV upsizing

## Design incentives to increase vehicle size created from the U.S. footprint-based fuel economy standards

Whitefoot and Skerlos [University of Michigan]

### Abstract:

The recently amended U.S. Corporate Average Fuel Economy (CAFE) standards determine fuel-economy targets based on the footprint (wheel base by track width) of vehicles such that larger vehicles have lower fuel-economy targets. This paper considers whether these standards create an incentive for firms to increase vehicle size by presenting an oligopolistic-equilibrium model in which automotive firms can modify vehicle dimensions, implement fuel-saving technology features, and trade-off acceleration, performance and fuel economy. Wide ranges of scenarios for consumer preferences are considered. Results suggest that the footprint-based CAFE standards create an incentive to increase vehicle size except when consumer preference for vehicle size is near its lower bound and preference for acceleration is near its upper bound. **In all other simulations, the sales-weighted average vehicle size increases by 2–32%, undermining gains in fuel economy by 1–4 mpg (0.6–1.7 km/L). Carbon-dioxide emissions from these vehicles are 5–15% higher as a result ( $4.69 \times 10^{11}$ – $5.17 \times 10^{11}$  kg for one year of produced vehicles compared to  $4.47 \times 10^{11}$  kg with no size changes), which is equivalent to adding 3–10 coal-fired power plants to the electricity grid each year.** Furthermore, results suggest that the incentive is larger for light trucks than for passenger cars, which could increase traffic safety risks.

### From the discussion:

Assuming vehicles are driven 12,000 miles per year for 10 years and annual U.S. new vehicle sales are 13 million, results indicate that the reduction in required fuel economy caused by the incentive to increase vehicle size leads to an additional 24–76 million short tons (22–69 M tonnes) of annual CO<sub>2</sub> emissions—comparable to adding 3–10 coal-fired power plants (each 1000 MW) to the electricity grid each year.

(b) (5) (DPP)



whitefoot and skerlos\_footprint based CAFE.pdf



EPA-343

Alex Barron/DC/USEPA/US

07/11/2012 04:20 PM

To Michael Goo

cc

bcc

Subject Re: Fw: CCS Permitt requirements for Taylorville plant

Interesting, given this story from May.

## Tenaska turns to natural gas in bid to save Taylorville Energy Center

May 10, 2012 12:01 am • [By KURT ERICKSON - H&R Springfield Bureau Chief](#)

SPRINGFIELD — Efforts to build a greener power plant fueled by Illinois coal have hit a roadblock.

A Nebraska firm that has been trying to build a \$3.5 billion experimental coal gasification plant in Christian County is pulling the plug on the coal portion of the facility and, instead, hoping to win legislative approval to build an electric plant fueled by natural gas.

A vote on Tenaska's revamped Taylorville Energy Center could come in the next three weeks as the General Assembly heads toward a May 31 adjournment.

The apparent demise of the Tenaska plant's connection to Illinois coal is not the first clean-coal project that's faced rocky times in recent years. A consortium of energy companies and the federal government had been poised to build an experimental plant called FutureGen in Coles County, but that project has since been downsized and moved to a site near Jacksonville.

Both plants could have provided a new market for Illinois' high-sulfur coal, with each facility initially designed to pump harmful pollutants into the ground, rather than release them into the air.

"I am not happy about this decision," said Tomasz Wiltkowski, interim director of the Coal Research Center at Southern Illinois University.

In its original concept, the Tenaska plant won support from officials at the university because of the research opportunities associated with finding an environmentally friendlier way to use Illinois' high-sulfur coal.

Wiltkowski said the price of natural gas will not always be low, making it important to continue conducting research into ensuring there are clean ways to burn one of Illinois' resources.

"We have to have short-term vision and long-term vision," Wiltkowski said. "I'm disappointed this has happened."



Phil Gonet, director of the Illinois Coal Association, said he doesn't believe the change now being sought by Tenaska is necessarily a bad thing for Illinois coal.

"I don't think this is a slap in the face to Illinois coal," Gonet said Wednesday, a day after Tenaska officials met behind closed doors to pitch their switch to legislators.

Gonet said he believes the plant will be built so it can later be retrofitted to begin transforming Illinois coal into a synthetic natural gas. Once the days of cheap natural gas are over, he said the change could make financial sense for Tenaska and eventually prove beneficial for coal companies.

"It will be designed in a way that the gasification can be added later," Gonet said. "It's a deferral. That makes sense."

Not only is the project shedding coal as its source for generating power, but the overall cost of construction will reportedly be slashed by about 66 percent. It was not clear Wednesday whether the promise of thousands of jobs associated with construction would be reduced, too.

Tenaska officials declined to discuss the changes Wednesday. Legislation reflecting the changes is being drafted and could be formally introduced this week.

Even with the changes, the proposal remains controversial. In order to finance construction, Tenaska told lawmakers that it still wants the General Assembly to approve a plan that would require customers to purchase electricity from the plant for the next three decades.

Business groups opposed to the rate structure say they intend to continue fighting the plan.

Kevin Wright of the Illinois Competitive Energy Association, which represents businesses affected by the potentially higher rates, called the switch to natural gas "laughable."

"It's just another face on a bad idea," Wright said.

He said the state shouldn't be endorsing a proposal that asks private companies to subsidize a natural gas-powered electric generation plant.

"Why this shouldn't be built by investors and shareholders is beyond me," Wright said. "Why saddle ratepayers with this cost for 30 years?"

Lawmakers from coal country in Southern Illinois offered mixed reaction to the developments.

"It isn't going to generate jobs in my district now. That makes it hard for me to support," said state Rep. Mike Bost, R-Murphysboro.

State Rep. John Bradley, D-Marion, was more upbeat, saying he remains hopeful the coal portion of the plant will someday be built.

“It’s got huge potential for downstate,” Bradley said.

Michael Goo ----- Original Message ----- From: 07/11/2012 10:20:22 AM

From: Michael Goo/DC/USEPA/US  
To: "Alex Barron" <Barron.Alex@epamail.epa.gov>  
Date: 07/11/2012 10:20 AM  
Subject: Fw: CCS Permitt requirements for Taylorville plant

Bob Sussman

----- Original Message -----

From: Bob Sussman  
Sent: 07/11/2012 09:16 AM EDT  
To: Gina McCarthy; Joe Goffman (goffman.joseph@epamail.mail.gov)  
<goffman.joseph@epamail.mail.gov>; Janet McCabe; Michael Goo  
Cc: Bob Perciasepe  
Subject: CCS Permitt requirements for Taylorville plant

Gina -- (b) (5) (DPP), (b) (5) (ACP)

## Illinois Pulls Permit To Weigh Novel EPA Call For CCS As GHG Control Option

Posted: July 10, 2012

The Illinois Environmental Protection Agency (IEPA) has taken the unusual step of withdrawing its air permit for a proposed coal gasification facility after EPA Region V officials urged the state to reconsider its decision rejecting carbon capture and sequestration (CCS) as best available control technology (BACT) for greenhouse gases (GHGs).

EPA Region V Administrator Susan Hedman told state officials in a [letter last month](#) that agency guidance for determining BACT for GHGs allows for consideration of flexible approaches to permitting CCS projects, including “adjustable” permit limits -- a precedent-setting approach that environmentalists say could help planned CCS projects win financing.

One environmentalist says the agency's push for consideration of CCS shows EPA officials are not going to let states duck reviews to consider the technology. “EPA has made clear that CCS is here to stay,” the source says.

IEPA July 6 formally withdrew the prevention of significant deterioration permit (PSD) it had issued April 30 for Christian County Generation to build a 630-megawatt coal-gasification power plant in Taylorville, IL, that would have voluntarily captured and sequestered the GHG emissions.

But the state permit did not set a mandatory GHG limit reflecting the capture, prompting a challenge before EPA's Environmental Appeals Board (EAB) from environmentalists who feared the permit set a [bad precedent](#) allowing regulators to avoid mandating CCS capture rates in GHG permits at similar projects.

BACT is a level of emissions controls that the Clean Air Act requires for inclusion in PSD permits. Permit writers must conduct top-down BACT reviews, meaning they must consider technology required in other permits and either mandate the same or explain why it is infeasible.

But EPA has only issued guidance for how to conduct BACT reviews for GHGs, giving state permit writers discretion in how they conduct their reviews.

In the Christian County case, the project's developer originally opposed environmentalists' requests that the permit mandate CCS as BACT over concerns that the facility would be out of compliance with its permit if the CCS equipment failed. At the 11th hour, the developers agreed to accept an emissions limit reflecting a mandatory 90 percent GHG cut but wanted conditions imposed that IEPA said it could not control.

As a result, the final permit rejected CCS as infeasible and set a GHG limit of 111.4 tons per million standard cubic feet of synthetic natural gas, or about 5 million tons per year, as opposed to the 11.14 tons per million standard cubic feet that would be emitted if the CCS technology was operational.

Robert M. Sussman  
Senior Policy Counsel to the Administrator  
Office of the Administrator  
US Environmental Protection Agency

EPA-344

Alex Barron/DC/USEPA/US

07/11/2012 06:10 PM

To Robin Kime

cc Bicky Corman, Michael Goo, Shannon Kenny

bcc

Subject Re: Very draft remarks for the OP Pizza Party Tomorrow:  
Quick Look?

(b) (5) (DPP)

A

Robin Kime

Hi My apologies that these remarks are...

07/11/2012 04:34:14 PM

From: Robin Kime/DC/USEPA/US  
To: Michael Goo/DC/USEPA/US@EPA, Bicky Corman/DC/USEPA/US@EPA, Shannon  
Kenny/DC/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA  
Date: 07/11/2012 04:34 PM  
Subject: Very draft remarks for the OP Pizza Party Tomorrow: Quick Look?

Hi

My apologies that these remarks aren't more developed. Tomorrow, I'll add the list of folks to thank. Am eager to make any changes re: the accomplishments listed - Sandy did most of the heavy lifting so thanks to her. I'm glad to make any edits. At the last pizza party, Michael delivered remarks. At last summer's picnic, Michael, Bicky, and Shannon split the narrative. Let me know how I can help, thank you.

[attachment "OP Mid-year Highlights\_2012.docx" deleted by Alex Barron/DC/USEPA/US]

Excerpted:

4

**Thursday, July 12<sup>th</sup> -- OP Pizza Party- EPA West Courtyard**

## 1. Intro

I'm glad so many of you could come out today. It's been another busy year, but it's important to pause every now and then to share a little time with our colleagues. And to have this kind of weather – downright pleasant as opposed to the blistering heat that has plagued us this summer – is quite the bonus!

## 2. Thanks to the party planners

First, please join me in thanking the folks who are responsible for us taking this great time out to relax and enjoy good food:

*Narrative to be inserted*

## 3. Mid-Year Highlights

Let's take just a minute to reflect on just a few highlights of we've accomplished so far this year.

In **OSEM**, we had the good fortune of bringing Nancy Ketcham-Colwill in to provide leadership following Betsy's departure to OAR. I think most of you have met Nancy but if not, this is a great opportunity and I urge you to get to know her. Through the transition, staff worked hard to get the job done:

- OSEM just announced the latest program evaluation competition, which will enable agency programs to compete for evaluation support;
- OSEM also continues to help the Deputy Administrator manage the Agency. He relies on their support and expertise to manage his program update interactions with the AAs. We held the last Executive Management Council meeting back in April, and another is coming up next week (so you know they have lots of free time these days...);

- OSEM provided leadership in coordinating EPA's response to an Executive Order that is designed to expedite permitting for large infrastructure projects. This is important work, as it's another way for the President to try and help speed the economic recovery;

- (b) (5) (DPP) [REDACTED]

- Likewise, OSEM has provided support for Joel's work on climate adaptation.

ORPM: As you all know, there is never a dull moment in Alex's shop. Most recently:

- Folks in RMD worked hard and did an excellent job deploying the new Agency-wide regulatory tracking system – the ADP Tracker;
- They undertook some heavy lifting on the reg analysis front that proved tremendously valuable, particularly with respect to GHG NSPS;
- Managed the Agency's Regulatory Agenda during a period of rapidly changing priorities (even by today's standards);
- 
- Has and continues to very adeptly manage all of the agency's rulemakings – in

quite delicate situations for many.

NCEE: Likewise, work in Al's office continues to shape share many regulatory and policy decisions in very important ways. Just to name a few:

- NCEE released the interim report on a Retrospective Study of the Costs of EPA Regulations. That report looks at the factors that may account for the differences between projected and actual regulatory costs, information that should be extremely helpful going forward. We're getting good input from the SAB, and in fact, we had our second discussion with them this week;
- NCEE is conducting important work in support of the Chesapeake Bay, in particular, TMDL development. In May, we released a survey for review and comment that will help us estimate how much people value improved water quality in the Bay. The survey will be sent to individual households in several states, and the results will help us better assess the costs and benefits of attaining the Bay's water quality goals;
- Another big product that is under development is the third edition of the America's Children and the Environment - or ACE3 - report. This report provides the latest and most comprehensive compilation of information on environmental stressors that can affect children's health. We issued a draft last year, and following peer review, have been working hard to get the final product ready for release this summer.

OSC: It's been a really busy year in John's office:

- This Spring, we awarded technical assistance to more than 60 communities through the Building Block and Smart Growth Implementation Assistance Programs. Along with helping those communities, some of this work gets

captured in reports that can then be shared with other communities facing their own sustainable growth and development challenges;

- A few weeks ago, we joined HUD, DOT and a number of stakeholders from around the country at a White House conference that, among other things, recognized the Partnership for Sustainable Communities third anniversary. We released a great report, which we had the lead in producing, that captures our many accomplishments;
- Our agencies have also worked together on a new resource guide that will help rural communities access the resources of the three Partnership agencies;
- Meanwhile, a new partnership with USDA and the Appalachian Regional Commission will enable us to provide assistance to Appalachian communities.

## IO

- Under Joel's leadership, EPA just completed its first climate adaptation plan to CEQ. The plan will guide the agency's actions in integrating adaptation planning into our work to ensure our programs and policies are effective under future climate conditions. It's not yet final; it's been sent to CEQ and OMB for review. It was an intensive, 18 month effort that involved staff from all across the agency and in the regions.

These are certainly not all our accomplishments, but hopefully, they give you a good idea of what some of your colleagues are up to. I want to thank all of you for your hard work over the first part of the year. I'm very proud of what we've accomplished and appreciate the opportunity to work with all of you.







EPA-346

Michael Goo/DC/USEPA/US

07/13/2012 04:20 PM

To Nicole Owens, Robin Kime

cc Alex Barron, Alexander Cristofaro, Amy Cole, Bruce Schillo,  
Caryn Muellerleile, Shannon Kenny

bcc

Subject Re: Fw: Vehicle GHG rule

Ok. Let's make that the plan. Qe will upload tonight. Let me know when you are ready  
Nicole Owens

----- Original Message -----

**From:** Nicole Owens

**Sent:** 07/13/2012 04:10 PM EDT

**To:** Robin Kime

**Cc:** Alex Barron; Alexander Cristofaro; Amy Cole; Bruce Schillo; Caryn  
Muellerleile; Michael Goo; Shannon Kenny

**Subject:** Re: Fw: Vehicle GHG rule

Thanks.

Just to let everyone know we'll direct OAR to send this to both Amy and Caryn. Amy will be here until 5:30pm and Caryn will take care of this from home after 5:30pm. She'll be available until 8:00pm.

Nicole

Robin Kime

Hi, Pending word from Michael or Alex...

07/13/2012 03:57:31 PM

From: Robin Kime/DC/USEPA/US

To: Caryn Muellerleile/DC/USEPA/US@EPA

Cc: Michael Goo/DC/USEPA/US@EPA, Shannon Kenny/DC/USEPA/US@EPA, Alex  
Barron/DC/USEPA/US@EPA, Alexander Cristofaro/DC/USEPA/US@EPA, Bruce  
Schillo/DC/USEPA/US@EPA, Nicole Owens/DC/USEPA/US@EPA, Amy  
Cole/DC/USEPA/US@EPA

Date: 07/13/2012 03:57 PM

Subject: Fw: Vehicle GHG rule

Hi,

Pending word from Michael or Alex C, please continue to be prepared to upload the rule today when we get it. Thanks

----- Forwarded by Robin Kime/DC/USEPA/US on 07/13/2012 03:32 PM -----

From: Robin Kime/DC/USEPA/US

To: Caryn Muellerleile/DC/USEPA/US@EPA

Cc: Bruce Schillo/DC/USEPA/US@EPA, Nicole Owens/DC/USEPA/US@EPA, Amy  
Cole/DC/USEPA/US@EPA, Alexander Cristofaro/DC/USEPA/US@EPA

Date: 07/13/2012 02:49 PM

Subject: Re: Fw: Vehicle GHG rule

Yes, we should be prepared to upload today- we still need the green light from Michael but for planning purposes its good to prepare to upload.

Caryn Muellerleile

(b)(5) (DPP)

07/13/2012 02:41:00 PM

From: Caryn Muellerleile/DC/USEPA/US  
To: Robin Kime/DC/USEPA/US, Bruce Schillo/DC/USEPA/US@EPA, Nicole Owens/DC/USEPA/US  
Date: 07/13/2012 02:41 PM  
Subject: Fw: Vehicle GHG rule

---

(b) (5) (DPP)



thanks,  
Caryn  
564-2855

----- Forwarded by Caryn Muellerleile/DC/USEPA/US on 07/13/2012 02:39 PM -----

From: Nathaniel Jutras/DC/USEPA/US  
To: Lori Stewart/DC/USEPA/US@EPA  
Cc: "Pat Scoville" <Scoville.Pat@epamail.epa.gov>, Caryn Muellerleile/DC/USEPA/US, Nicole Owens/DC/USEPA/US@EPA  
Date: 07/12/2012 06:28 PM  
Subject: Re: Vehicle GHG rule

---

Lori, Technically I am out tomorrow, but I plan to be in for a few hours in the afternoon. Please copy Caryn on any updates about the GHG rule or any other urgent actions.

Thanks,  
Nate

|              |                                               |                        |
|--------------|-----------------------------------------------|------------------------|
| Lori Stewart | We are still shooting to upload the rule t... | 07/12/2012 02:12:27 PM |
|--------------|-----------------------------------------------|------------------------|

From: Lori Stewart/DC/USEPA/US  
To: "Nathaniel Jutras" <Jutras.Nathaniel@epamail.epa.gov>, "Pat Scoville" <Scoville.Pat@epamail.epa.gov>  
Date: 07/12/2012 02:12 PM  
Subject: Vehicle GHG rule

---

We are still shooting to upload the rule tomorrow - will keep you informed as I hear the status. Will you be here tomorrow? Gina spoke to M. Goo so hopefully it can move quickly. Thanks.

-----  
Sent by EPA Wireless E-Mail Services

EPA-347

Michael Goo/DC/USEPA/US

07/13/2012 07:08 PM

To "Alex Barron"

cc

bcc

Subject Fw: Questions from the MATS expedited case petitioners

Bob Sussman

----- Original Message -----

**From:** Bob Sussman

**Sent:** 07/13/2012 06:13 PM EDT

**To:** Michael Goo

**Subject:** Fw: Questions from the MATS expedited case petitioners

Robert M. Sussman

Senior Policy Counsel to the Administrator

Office of the Administrator

US Environmental Protection Agency

----- Forwarded by Bob Sussman/DC/USEPA/US on 07/13/2012 06:13 PM -----

From: Avi Garbow/DC/USEPA/US

To: Bob Sussman/DC/USEPA/US@EPA

Date: 07/13/2012 03:59 PM

Subject: Fw: Questions from the MATS expedited case petitioners

First of two emails I'll forward to you.

Avi Garbow

Deputy General Counsel

U.S. Environmental Protection Agency

(202) 564-1917

----- Forwarded by Avi Garbow/DC/USEPA/US on 07/13/2012 03:59 PM -----

From: Patricia Embrey/DC/USEPA/US

To: Avi Garbow/DC/USEPA/US@EPA, Joseph Goffman/DC/USEPA/US@EPA, Peter Tsirigotis/RTP/USEPA/US@EPA

Cc: Wendy Blake/DC/USEPA/US, Paul Versace/DC/USEPA/US@EPA

Date: 07/12/2012 05:59 PM

Subject: Questions from the MATS expedited case petitioners

Here are the promised questions from the litigants. (b) (5) (DPP), (b) (5) (ACP)

[REDACTED]

**From:** Glaser, Peter S. [mailto:Peter.Glaser@troutmansanders.com]

**Sent:** Thursday, July 12, 2012 5:27 PM

**To:** Hostetler, Eric (ENRD)

**Cc:** Berman, Amanda (ENRD); Oakes, Matthew (ENRD); 'jeff.holmstead@bglp.com'; 'egroten@velaw.com'; 'pbarmeyer@kslaw.com'

**Subject:** RE: White Stallion

Eric,

The email I just sent you inexplicably did not include portions I intended to send. Please disregard it, and use the following.

We greatly appreciate not only the news that EPA is willing to take at least some of our concerns with the MATS rules under further consideration, but also your willingness to suggest that this reconsideration process might allow for suspension of litigation. In order to determine whether that hopeful proposition can be realized in practice, however, we need to have a better sense of what EPA means by a “stay of effectiveness” of the new unit limits, and how that would be accomplished. As you know, Section 307(d)(7)(B) allows EPA to stay the effectiveness of rules only for three months following the grant of a reconsideration petition. And it is not the immediate effect of complying with standards that poses a problem for our clients (they do not yet have operating units that must meet the new unit limits); rather, it is the pendency of limits that cannot demonstrably be met, and for which guarantees and thus financing cannot be had. Staying the effectiveness of the rules, with no guarantees that the rules would be meaningfully different at the end of the reconsideration process, would therefore be counterproductive, extending the period of uncertainty that we sought to have shortened by the motion to expedite judicial consideration of our concerns with the new unit limits.

And so our questions are along the following lines: How would EPA propose to “stay the effectiveness” of the rules in such a way as to realistically allow units to commence construction secure in the knowledge that their well-controlled units will not be subjected to unrealistically restrictive emission limits at the end of the day? As we discussed yesterday afternoon, a resolution by which units that commence construction during the stay period would be deemed “existing” for purposes of the MATS rules (but of course remaining subject to any more stringent case-by-case limits established under 112(g)) might accomplish that objective. But if the proposal remains simply stayed, does EPA believe that this would affect the new/existing classification of any source? If so, how? Would the stay mean that the new source applicability date of May 2011 is no longer in effect, such that there would be no new sources currently? And that the new NOPR would set a new proposal date for purposes of the new source definition? Would EPA be willing to invite the Court to vacate the rulemaking, with an order to repropose? If so, does EPA agree that such an order means that any units that start construction before reproposal would not be “new” as defined in 112(a) (4)?

You indicated that, as part of a settlement, EPA and Petitioners could jointly seek an order from the court to provide regulatory certainty. This leads us to explore another possibility, which is whether you be willing to seek a court order stating that, if Petitioners commence construction on their projects before April 13, 2013, they would not be new sources for purposes of sections 111 and 112?

Finally, do you have any report on how quickly the new proposal might issue?

We hope that planting these questions will allow for you to talk them through with your client before we convene tomorrow at 3ET (b) (6) We share your interest in coming to grips with the prospects for settlement as quickly as possible, and so we have been relatively blunt with our questions and expectations. Finally, it would be most helpful if we have maximum time to review any notice of the reconsideration that EPA plans to announce tomorrow.

Finally, would it be possible for you to email counsel the letter announcing reconsideration as soon as it is sent? thx

Patricia Barmeyer  
Peter Glaser  
Eric Groten  
Jeff Holmstead

---

IRS Circular 230 disclosure: To ensure compliance with requirements imposed by the IRS, we inform you that any tax advice that may be contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding any penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction(s) or tax-related matter(s) that may be addressed herein.

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EPA-348

Michael Goo/DC/USEPA/US

07/13/2012 07:08 PM

To "Alex Barron"

cc

bcc

Subject Fw: More from the MATS litigants

Bob Sussman

----- Original Message -----

**From:** Bob Sussman

**Sent:** 07/13/2012 06:14 PM EDT

**To:** Michael Goo

**Subject:** Fw: More from the MATS litigants

Robert M. Sussman

Senior Policy Counsel to the Administrator

Office of the Administrator

US Environmental Protection Agency

----- Forwarded by Bob Sussman/DC/USEPA/US on 07/13/2012 06:14 PM -----

From: Avi Garbow/DC/USEPA/US  
To: Bob Sussman/DC/USEPA/US@EPA  
Date: 07/13/2012 03:59 PM  
Subject: Fw: More from the MATS litigants

---

Avi Garbow  
Deputy General Counsel  
U.S. Environmental Protection Agency  
(202) 564-1917

----- Forwarded by Avi Garbow/DC/USEPA/US on 07/13/2012 04:00 PM -----

From: Patricia Embrey/DC/USEPA/US  
To: Avi Garbow/DC/USEPA/US@EPA, Joseph Goffman/DC/USEPA/US@EPA, Peter Tsirigotis/RTP/USEPA/US@EPA  
Cc: Wendy Blake/DC/USEPA/US, Paul Versace/DC/USEPA/US@EPA  
Date: 07/13/2012 11:01 AM  
Subject: More from the MATS litigants

---

We just received this from the DOJ NSPS attorney.

From: Glaser, Peter S. [<mailto:Peter.Glaser@troutmansanders.com>]  
Sent: Friday, July 13, 2012 9:28 AM  
To: Hostetler, Eric (ENRD)  
Cc: Berman, Amanda (ENRD); Oakes, Matthew (ENRD); 'jeff.holmstead@bgllp.com'; 'egroten@velaw.com'; 'pbarmeyer@kslaw.com'  
Subject: RE: White Stallion

Eric – I'd like to add a follow-on question based on the highlighted material in the trade press



article below.

Would EPA be willing to consider tolling the one-year deadline for transitional sources to commence construction under the proposed GHG NSPS rule for however long the period runs from the date the MATS rule was published in the Federal Register to the date the final reconsidered MATS rule new source standards are published in the Federal Register?

Joe's remarks below seem to indicate EPA is willing to be flexible on how it interprets the one-year deadline. If EPA believes it has made a mistake in the MATS rule new source standards, one that is significant enough to stay those standards while new standards are promulgated, it seems only fair to toll the one-year period to account for that mistake.

thx

Daily News

## EPA Official Downplays Possibility Of New Plants Losing NSPS Exemption

Posted: July 12, 2012

A top EPA air official is downplaying concerns that owners of new coal power plants could lose an exemption from having to meet the agency's pending greenhouse gas (GHG) rule for utilities if activists sue to block the facilities and the litigation delays the new plants' construction beyond the deadline for the exemption.

The threat of activist lawsuits over Clean Air Act permits is another potential issue for new coal plant developers eager to use the exemption. The developers recently convinced a federal appeals court to expedite their suit over EPA's utility air toxics rule due to their fears that they face a "regulatory dilemma" of being subject to both the air toxics rule and the GHG new source performance standard (NSPS) if the air toxics rule litigation drags on for too long.

EPA in its March 27 proposed NSPS for new facilities offered to exempt up to 15 pending "transitional" coal-fired facilities from the NSPS so long as they commence construction by April 13, 2013. Environmentalists largely have not voiced strong complaints about the approach, with several sources saying that it is likely that many of those facilities will never be built due to factors outside of the NSPS, including financing issues and low natural gas prices.

Nevertheless, there is some concern among states and others about the possibility that activist challenges to the new facilities could lead to protracted litigation that stalls construction of the plants beyond the April 13 deadline. As a result, the plants may conceivably face the loss of the NSPS exemption and have to comply with the rule.

During a major forum on EPA air rules July 9 in Washington, DC, EPA air counsel Joe Goffman downplayed the threat. Goffman noted the agency did not address such a contingency in the proposed NSPS, but said the concept of commencing construction "is as much a term of art as it is a liberal term under the act."

A plant could be deemed to commence construction without physical action by April 13, and therefore still win the NSPS exemption regardless of whether it faces a legal challenge, Goffman said.

"This is not an approach where we would be enabling third parties to game a permit holder out of the opportunity to qualify as a transitional source," he told the forum, sponsored by the National Association of Clean Air Agencies, the National Association of State Energy Officials and the National Association of Regulatory Utility Commissioners.

Goffman's remarks come as the U.S. Court of Appeals for the District of Columbia Circuit in a June 28 order granted new coal plant developers' request to sever and expedite their challenge to EPA's maximum achievable control technology (MACT) standard for coal- and oil-fired plants over EPA's objections.

The developers argued that the MACT's requirements were so onerous that they would not be able to commence construction within the year, and that their plants as currently designed would not be able to meet the NSPS' requirements should they lose their transitional status. -- Bobby McMahon ( [bmcMahon@iwpnews.com](mailto:bmcMahon@iwpnews.com) This e-mail address is being protected from spambots. You need JavaScript enabled to view it )

Related News: [Energy Climate Change](#)

EPA-351

Alex Barron/DC/USEPA/US

To Michael Goo

07/16/2012 04:18 PM

cc

bcc

Subject Fw: Arundo

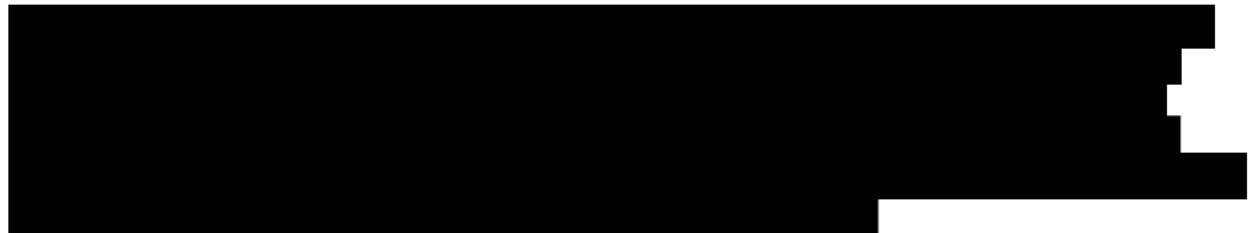
clearly for cropping

----- Forwarded by Alex Barron/DC/USEPA/US on 07/16/2012 04:18 PM -----

From: Glenn Farber/DC/USEPA/US  
To: Alex Barron/DC/USEPA/US@EPA  
Cc: Peter Nagelhout/DC/USEPA/US@EPA  
Date: 07/16/2012 01:41 PM  
Subject: Re: Arundo

---

(b) (5) (DPP)



---

Glenn Farber  
Policy and Regulatory Analysis Division  
Office of Policy  
Office of the Administrator

US Environmental Protection Agency  
(202) 566-0343

Alex Barron

(b)(5) (DPP)

07/16/2012 11:17:02 AM

From: Alex Barron/DC/USEPA/US  
To: "Marquis Glenn Farber" <Farber.Glenn@epamail.epa.gov>, "Peter Nagelhout" <Naghout.Peter@epamail.epa.gov>  
Date: 07/16/2012 11:17 AM  
Subject: Arundo

---

(b) (5) (DPP)

[Redacted content]

EPA-352

Michael Goo/DC/USEPA/US

To barron.alex

07/17/2012 10:37 AM

cc

bcc

Subject Fw: Fuel Pathways

Michael Goo

----- Original Message -----

**From:** Michael Goo

**Sent:** 07/17/2012 09:28 AM EDT

**To:** Gina McCarthy

**Subject:** Re: Fuel Pathways

Sounds good.

Gina McCarthy

----- Original Message -----

**From:** Gina McCarthy

**Sent:** 07/17/2012 08:58 AM EDT

**To:** Michael Goo

**Subject:** Re: Fuel Pathways

Ok Michael. (b) (5) (DPP)

Michael Goo

----- Original Message -----

**From:** Michael Goo

**Sent:** 07/17/2012 08:50 AM EDT

**To:** Gina McCarthy

**Subject:** Re: Fuel Pathways

Hi Gina. Thanks for your response (b) (5) (DPP)

Thanks.

Gina McCarthy

----- Original Message -----

**From:** Gina McCarthy

**Sent:** 07/13/2012 03:29 PM EDT

**To:** Michael Goo

**Cc:** Oge.Margo@EPA.GOV

**Subject:** Fuel Pathways

(b) (5) (DPP)

(b) (5) (DPP)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



EPA-353

Alex Barron/DC/USEPA/US

To Michael Goo

07/17/2012 10:47 AM

cc

bcc

Subject Re: Fuel Pathways

(b) (5) (DPP)

A

Michael Goo

----- Original Message -----

**From:** Michael Goo

**Sent:** 07/17/2012 10:37 AM EDT

**To:** barron.alex@epa.gov

**Subject:** Fw: Fuel Pathways

Michael Goo

----- Original Message -----

**From:** Michael Goo

**Sent:** 07/17/2012 09:28 AM EDT

**To:** Gina McCarthy

**Subject:** Re: Fuel Pathways

Sounds good.

Gina McCarthy

----- Original Message -----

**From:** Gina McCarthy

**Sent:** 07/17/2012 08:58 AM EDT

**To:** Michael Goo

**Subject:** Re: Fuel Pathways

Ok Michael. (b) (5) (DPP)

Michael Goo

----- Original Message -----

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**Sent:** 07/17/2012 08:50 AM EDT

**To:** Gina McCarthy

**Subject:** Re: Fuel Pathways

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Gina McCarthy

----- Original Message -----

**From:** Gina McCarthy

**Sent:** 07/13/2012 03:29 PM EDT

**To:** Michael Goo

**Cc:** Oge.Margo@EPA.GOV

**Subject:** Fuel Pathways

(b) (5) (DPP)



(b) (5) (DPP)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

EPA-354

Michael Goo/DC/USEPA/US

To Alex Barron

07/17/2012 10:47 AM

cc

bcc

Subject Re: Fuel Pathways

Ok

Alex Barron

----- Original Message -----

**From:** Alex Barron

**Sent:** 07/17/2012 10:47 AM EDT

**To:** Michael Goo

**Subject:** Re: Fuel Pathways

(b) (5) (DPP)

A

Michael Goo

----- Original Message -----

**From:** Michael Goo

**Sent:** 07/17/2012 10:37 AM EDT

**To:** barron.alex@epa.gov

**Subject:** Fw: Fuel Pathways

Michael Goo

----- Original Message -----

**From:** Michael Goo

**Sent:** 07/17/2012 09:28 AM EDT

**To:** Gina McCarthy

**Subject:** Re: Fuel Pathways

Sounds good.

Gina McCarthy

----- Original Message -----

**From:** Gina McCarthy

**Sent:** 07/17/2012 08:58 AM EDT

**To:** Michael Goo

**Subject:** Re: Fuel Pathways

Ok Michael. (b) (5) (DPP)

Michael Goo

----- Original Message -----

**From:** Michael Goo

**Sent:** 07/17/2012 08:50 AM EDT

**To:** Gina McCarthy

**Subject:** Re: Fuel Pathways

Hi Gina. Thanks for your response. (b) (5) (DPP)

Thanks.

Gina McCarthy

----- Original Message -----

**From:** Gina McCarthy

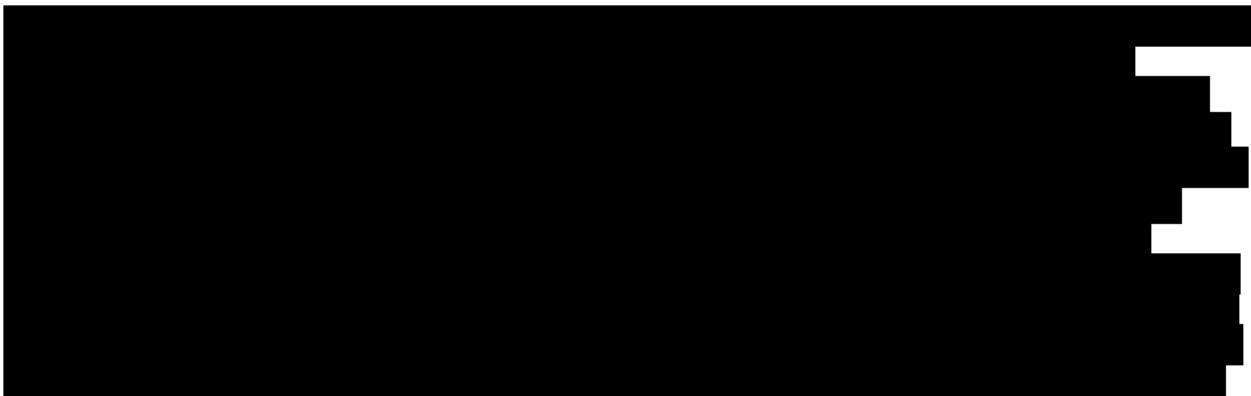
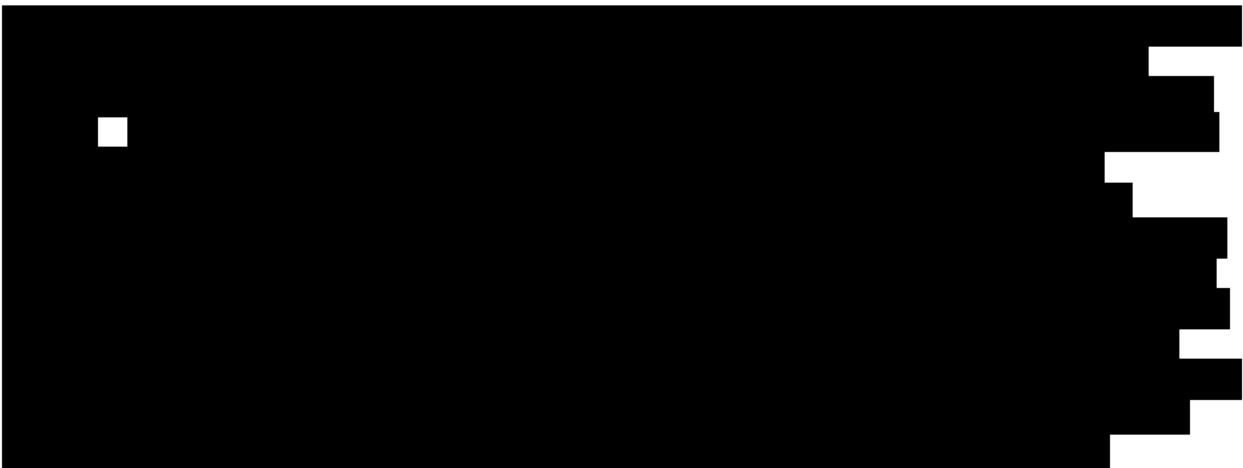
**Sent:** 07/13/2012 03:29 PM EDT

**To:** Michael Goo

**Cc:** Oge.Margo@EPA.GOV

**Subject:** Fuel Pathways

(b) (5) (DPP)



(b) (5) (DPP)



EPA-355

Michael Goo/DC/USEPA/US

07/17/2012 02:39 PM

To Alex Barron

cc

bcc

Subject Re: The atudy with 3 to 10

Cool

Alex Barron

----- Original Message -----

**From:** Alex Barron

**Sent:** 07/17/2012 02:25 PM EDT

**To:** Michael Goo

**Subject:** Re: The atudy with 3 to 10

We discuss it in preamble as raised by commenters.

A

Michael Goo

----- Original Message -----

**From:** Michael Goo

**Sent:** 07/17/2012 02:22 PM EDT

**To:** barron.alex@epa.gov

**Subject:** The atudy with 3 to 10

Power plants. Was that submitted in comments? I'm thinking it was.

EPA-356

Michael Goo/DC/USEPA/US

07/17/2012 10:18 PM

To barron.alex, "Al McGartland"

cc

bcc

Subject Fw: PM2.5 Story in the Washington Post

Do we have thoughtd about the greenstone work to share with LPj?  
Brendan Gilfillan

----- Original Message -----

**From:** Brendan Gilfillan

**Sent:** 07/17/2012 09:39 PM EDT

**To:** Richard Windsor; James O'Hara; Bob Perciasepe; "Gina McCarthy" <mccarthy.gina@epa.gov>; "Bob Sussman" <Sussman.bob@epa.gov>; "Diane Thompson" <thompson.diane@epa.gov>; "Glenn Paulson" (b) (6); "Michael Goo" <goo.michael@epa.gov>

**Subject:** Re: PM2.5 Story in the Washington Post

Here's the full piece:

White House weakened EPA soot proposal, documents show

By Juliet Eilperin<[http://www.washingtonpost.com/juliet-eilperin/2011/03/02/ABZpz6M\\_page.html](http://www.washingtonpost.com/juliet-eilperin/2011/03/02/ABZpz6M_page.html)>, Tuesday, July 17, 6:46 PM

The White House recently modified an Environmental Protection Agency proposal to limit soot emissions, according to documents<

[http://www.washingtonpost.com/national/health-science/white-house-weakened-epa-soot-proposal-documents-show/2012/07/17/gJQANH3yrW\\_print.html](http://www.washingtonpost.com/national/health-science/white-house-weakened-epa-soot-proposal-documents-show/2012/07/17/gJQANH3yrW_print.html)> obtained by The Washington Post, inviting public comment on a slightly weaker standard than the agency had originally sought<  
[http://www.washingtonpost.com/national/health-science/white-house-weakened-epa-soot-proposal-documents-show/2012/07/17/gJQANH3yrW\\_print.html](http://www.washingtonpost.com/national/health-science/white-house-weakened-epa-soot-proposal-documents-show/2012/07/17/gJQANH3yrW_print.html)>.

The behind-the-scenes tweaking of the proposed soot standards<

[http://www.washingtonpost.com/national/health-science/epa-to-tighten-national-soot-standards/2012/06/14/gJQABYsPdV\\_story.html](http://www.washingtonpost.com/national/health-science/epa-to-tighten-national-soot-standards/2012/06/14/gJQABYsPdV_story.html)>, which affect particles measuring less than 2.5 micrometers in diameter, sparked criticism that the White House was interfering with science-based decisions.

Fine particles, which come from oil refineries, factories and other operations, rank among the most deadly widespread air pollutants. EPA had originally wanted to tighten the annual exposure to fine-particle soot from 15 micrograms per cubic meter of air to 12 micrograms per cubic meter, according to an e-mail between Office of Management and Budget and EPA officials.

But OMB directed the EPA to make the limit between 12 and 13 micrograms per cubic meter of air.

Frank O'Donnell, who heads the advocacy group Clean Air Watch, cited the change as "the latest in a pattern of interference by the White House in decisions that rightly belong to EPA, based on science." Last year President Obama pulled an EPA proposal to impose stricter limits on smog-forming ozone<  
[http://www.washingtonpost.com/national/health-science/obama-pulls-back-proposed-smog-standards-in-victory-for-business/2011/09/02/gIQAisTiwJ\\_story.html](http://www.washingtonpost.com/national/health-science/obama-pulls-back-proposed-smog-standards-in-victory-for-business/2011/09/02/gIQAisTiwJ_story.html)> on the grounds that it would be costly and the rules were up for review again starting in 2013.

"If this had been a Bush administration move, every progressive in America would be screaming foul," O'Donnell added.

But Howard Feldman, who directs regulatory and scientific affairs for the American Petroleum Institute

and had sought to keep the soot standard unchanged at 15 micrograms per cubic meter, said the White House had every right to modify EPA's proposal. "It's a policy decision, where to set the standard," he said.

White House spokesman Clark Stevens said OMB was in keeping with its mission when it "oversaw the interagency review process prior to the announcement of the proposal and worked closely with EPA to best assess feedback received through that process." He said the final standard will be issued after the public comment period, with input from public health groups and industry.

John Walke, who directs the Natural Resources Defense Council's clean air program, said in an interview that "no White House should interfere with EPA's scientific view on what is protective of the public health." But he noted the agency has not issued a final rule and said he was optimistic the agency would set a strict standard.

The administration is also in the process of defending the Bush administration's ozone rule in federal court now that Obama has opted to keep it in place. EPA administrator Lisa P. Jackson had previously called the Bush rule "not legally defensible."

A new study<<http://www.washingtonpost.com/wp-srv/nation/dgs-nox-budget-program.pdf>> by a group of researchers at the University of California at Santa Barbara and MIT suggests curbing ozone could provide greater benefits than previously thought. The team looked at 20 states and the District of Columbia where power plants and boilers are required to limit nitrogen oxide pollution between May 1 and Sept. 30 each year.

In the period they looked at, from 2003 to 2008, those states and DC cut prescription drug expenditures by 1.9 percent, or \$900 million a year, and had 2,200 fewer annual premature deaths among individuals aged 75 or older.

MIT environmental economics professor Michael Greenstone, one of the paper's authors, said he and other researchers are "cautiously confident" that the drop in ozone levels accounts for the economic benefits they identified.

"This is now new evidence of the evidence of the health benefits of ozone reductions, which was not available when the president overturned the previous effort to revise the ozone standard," said Greenstone, who has informed White House officials of his findings.

University of California at Berkeley professor Maxmilian Auffhammer, who studies air pollution, said the paper uses real-world data to show how smog reductions can save consumers money on prescription drugs. "The study adds another piece of the benefits pie on the table," Auffhammer said.

Richard Windsor

----- Original Message -----

**From:** Richard Windsor

**Sent:** 07/17/2012 08:20 PM EDT

**To:** James O'Hara; Bob Perciasepe; Brendan Gilfillan; "Gina McCarthy" <mccarthy.gina@epa.gov>; "Bob Sussman" <Sussman.bob@epa.gov>; "Diane Thompson" <thompson.diane@epa.gov>; "Glenn Paulson" (b) (6); "Michael Goo" <goo.michael@epa.gov>

**Subject:** Re: PM2.5 Story in the Washington Post

The Michael Greenstone scientific work cited in the Post story which is now online is important. As Cass' former deputy, his current perspective is interesting, to say the least.

James O'Hara

----- Original Message -----

**From:** James O'Hara

**Sent:** 07/17/2012 07:10 PM EDT

**To:** Richard Windsor; Bob Perciasepe; Brendan Gilfillan

**Subject:** Fw: PM2.5 Story in the Washington Post

I know Bob mentioned this story to you andt wanted to let you know state of play.  
David Bloomgren

----- Original Message -----

**From:** David Bloomgren

**Sent:** 07/17/2012 06:28 PM EDT

**To:** James O'Hara

**Subject:** PM2.5 Story in the Washington Post

We're anticipating a story by Juliet Eilperin tomorrow in the Washington Post on our PM2.5 proposal and changes made during the interagency review process. Juliet has a redline/strikeout document (available in the public docket) with interagency comments that change the proposed revision from '12.0' to '12.0 to 13.0. We worked w/WH communications on our response and provided the following statement (WH has commented as well):

Every public health standard undergoes interagency review and EPA frequently proposes a range of options when setting air quality standards to ensure robust public participation in the review process. EPA received important feedback during the interagency review process and worked closely with OIRA and other federal partners on this proposal. Following that process, EPA proposed achievable standards for fine particulate matter that are consistent with the range recommended by our independent scientific advisors. Thanks to air quality control programs already in place, nearly every county in the country will be in a position to meet new public health standards.



EPA-360

Michael Goo/DC/USEPA/US

07/19/2012 03:52 PM

To Alex Barron

cc

bcc

Subject Fw: Latest MATS Release

----- Forwarded by Michael Goo/DC/USEPA/US on 07/19/2012 03:52 PM -----

From: David Bloomgren/DC/USEPA/US  
To: Arvin Ganesan/DC/USEPA/US@EPA, Michael Goo/DC/USEPA/US@EPA  
Cc: Brendan Gilfillan/DC/USEPA/US@EPA, James O'Hara/DC/USEPA/US@EPA  
Date: 07/19/2012 03:43 PM  
Subject: Latest MATS Release

---

New language from OAR in bold/3rd paragraph:

**FOR IMMEDIATE RELEASE**

July XX, 2012

(b) (5) (DPP)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

David E. Bloomgren  
U.S. Environmental Protection Agency  
Direct: 202.564.0639  
Mobile: 202.604.5926

EPA-361

Alex Barron/DC/USEPA/US

07/20/2012 02:14 PM

To Michael Goo

cc Glenn Farber, Peter Nagelhout, Robin Kime

bcc

Subject Giant Reed Invasive 1 pager

(b) (5) (DPP)

A large rectangular area of the document is completely redacted with black ink.A large rectangular area of the document is completely redacted with black ink.A large rectangular area of the document is completely redacted with black ink.

A



- Giant Reed Invasive 7 20 12.docx

WIF

Ex (b)(5) DPP

EPA-362

Michael Goo/DC/USEPA/US  
07/20/2012 06:07 PM

To barron.alex  
cc  
bcc  
Subject Fw: one-pager on RFS invasive species issue

Gina McCarthy

----- Original Message -----

**From:** Gina McCarthy

**Sent:** 07/20/2012 04:13 PM EDT

**To:** perciasepe.bob@epa.gov; Elworth.Lawrence@EPA.GOV; Michael Goo

**Cc:** Oge.Margo@EPA.GOV; Janet McCabe; Zinger.Don@EPA.GOV

**Subject:** Fw: one-pager on RFS invasive species issue

Bob - (b) (5) (DPP)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

----- Forwarded by Gina McCarthy/DC/USEPA/US on 07/20/2012 03:55 PM -----

From: Margo Oge/DC/USEPA/US  
To: Gina McCarthy/DC/USEPA/US@EPA  
Date: 07/20/2012 03:53 PM  
Subject: one-pager on RFS invasive species issue

(b) (5) (DPP)

[REDACTED]

[REDACTED]

(b) (5)  
(DPP)

| [REDACTED]

| [REDACTED]

| [REDACTED]

| [REDACTED]

| [REDACTED]

| [REDACTED]

| [REDACTED]

| [REDACTED]

| [REDACTED]

EPA-363

Alex Barron/DC/USEPA/US

07/20/2012 06:14 PM

To Michael Goo

cc

bcc

Subject Re: Fw: one-pager on RFS invasive species issue

(b) (5) (DPP)

Michael Goo

----- Original Message -----

From:...

07/20/2012 06:07:41 PM

From: Michael Goo/DC/USEPA/US  
To: barron.alex@epa.gov  
Date: 07/20/2012 06:07 PM  
Subject: Fw: one-pager on RFS invasive species issue

Gina McCarthy

----- Original Message -----

**From:** Gina McCarthy

**Sent:** 07/20/2012 04:13 PM EDT

**To:** perciasepe.bob@epa.gov; Elworth.Lawrence@EPA.GOV; Michael Goo

**Cc:** Oge.Margo@EPA.GOV; Janet McCabe; Zinger.Don@EPA.GOV

**Subject:** Fw: one-pager on RFS invasive species issue

Bob - (b) (5) (DPP)

----- Forwarded by Gina McCarthy/DC/USEPA/US on 07/20/2012 03:55 PM -----

From: Margo Oge/DC/USEPA/US

To: Gina McCarthy/DC/USEPA/US@EPA  
Date: 07/20/2012 03:53 PM  
Subject: one-pager on RFS invasive species issue

EPA-364

Michael Goo/DC/USEPA/US

07/21/2012 06:26 PM

To barron.alex

cc

bcc

Subject Fw: Invitation: One-pager on RFS Invasive Species Issue (Jul 23 10:00 AM EDT in 3412 ARN Call In # (b) (6) Access (b) (6) )

Hmm.

Robin Kime

----- Original Message -----

**From:** Robin Kime

**Sent:** 07/20/2012 05:48 PM EDT

**To:** Alex Barron

**Cc:** Michael Goo

**Subject:** Fw: Invitation: One-pager on RFS Invasive Species Issue (Jul 23 10:00 AM EDT in 3412 ARN Call In # [REDACTED] Access [REDACTED])

Just added

Bob Perciasepe

----- Original Message -----

**From:** Bob Perciasepe

**Sent:** 07/20/2012 04:45 PM EDT

**To:** Gina McCarthy; Lawrence Elworth; Michael Goo

**Subject:** Invitation: One-pager on RFS Invasive Species Issue (Jul 23 10:00 AM EDT in 3412 ARN Call In # [REDACTED] Access [REDACTED])

**Fw: one-pager on RFS invasive species issue**

**Gina McCarthy** to: perciasepe.bob, Elworth.Lawrence, Michael Goo

07/20/2012 04:13 PM

Cc: Oge.Margo, Janet McCabe, Zinger.Don



(b) (5) (DPP)

[illegible]

\_\_\_\_\_

----- Forwarded by Gina McCarthy/DC/USEPA/US on 07/20/2012 03:55 PM -----

From: Margo Oge/DC/USEPA/US  
To: Gina McCarthy/DC/USEPA/US@EPA  
Date: 07/20/2012 03:53 PM  
Subject: one-pager on RFS invasive species issue

(b) (5) (DPP) [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

EPA-365

Michael Goo/DC/USEPA/US

07/21/2012 06:30 PM

To barron.alex

cc

bcc

Subject Fw: Invitation: One-pager on RFS Invasive Species Issue (Jul 23 10:00 AM EDT in 3412 ARN Call In # [REDACTED]  
Access [REDACTED]

(b) (5) (DPP)

Michael Goo

----- Original Message -----

**From:** Michael Goo

**Sent:** 07/21/2012 06:26 PM EDT

**To:** barron.alex@epa.gov

**Subject:** Fw: Invitation: One-pager on RFS Invasive Species Issue (Jul 23 10:00 AM EDT in 3412 ARN Call In # [REDACTED] Access [REDACTED]

Hmm.

Robin Kime

----- Original Message -----

**From:** Robin Kime

**Sent:** 07/20/2012 05:48 PM EDT

**To:** Alex Barron

**Cc:** Michael Goo

**Subject:** Fw: Invitation: One-pager on RFS Invasive Species Issue (Jul 23 10:00 AM EDT in 3412 ARN Call In # [REDACTED] Access [REDACTED]

Just added

Bob Perciasepe

----- Original Message -----

**From:** Bob Perciasepe

**Sent:** 07/20/2012 04:45 PM EDT

**To:** Gina McCarthy; Lawrence Elworth; Michael Goo

**Subject:** Invitation: One-pager on RFS Invasive Species Issue (Jul 23 10:00 AM EDT in 3412 ARN Call In # [REDACTED] Access [REDACTED]

**Fw: one-pager on RFS invasive species issue**

**Gina McCarthy** to: perciasepe.bob, Elworth.Lawrence, Michael Goo

07/20/2012 04:13 PM

Cc: Oge.Margo, Janet McCabe, Zinger.Don

(b) (5) (DPP)

[illegible]

\_\_\_\_\_

----- Forwarded by Gina McCarthy/DC/USEPA/US on 07/20/2012 03:55 PM -----

From: Margo Oge/DC/USEPA/US  
To: Gina McCarthy/DC/USEPA/US@EPA  
Date: 07/20/2012 03:53 PM  
Subject: one-pager on RFS invasive species issue

(b) (5) (DPP) [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

EPA-366

**Alex Barron/DC/USEPA/US**

07/23/2012 09:43 AM

To Michael Goo, "barron alex"

cc

bcc

Subject Re: Invitation: One-pager on RFS Invasive Species Issue (Jul 23 10:00 AM EDT in 3412 ARN Call In # [REDACTED]  
Access [REDACTED]

(b) (5) (DPP)

Michael Goo

----- Original Message -----

**From:** Michael Goo

**Sent:** 07/21/2012 06:26 PM EDT

**To:** barron.alex@epa.gov

**Subject:** Fw: Invitation: One-pager on RFS Invasive Species Issue (Jul 23 10:00 AM EDT in 3412 ARN Call In # [REDACTED] Access [REDACTED]  
Hmm.

Robin Kime

----- Original Message -----

**From:** Robin Kime

**Sent:** 07/20/2012 05:48 PM EDT

**To:** Alex Barron

**Cc:** Michael Goo

**Subject:** Fw: Invitation: One-pager on RFS Invasive Species Issue (Jul 23 10:00 AM EDT in 3412 ARN Call In # [REDACTED] Access [REDACTED]  
Just added

Bob Perciasepe

----- Original Message -----

**From:** Bob Perciasepe

**Sent:** 07/20/2012 04:45 PM EDT

**To:** Gina McCarthy; Lawrence Elworth; Michael Goo

**Subject:** Invitation: One-pager on RFS Invasive Species Issue (Jul 23 10:00 AM EDT in 3412 ARN Call In # [REDACTED] Access [REDACTED]

**Fw: one-pager on RFS invasive species issue**

**Gina McCarthy** to: perciasepe.bob, Elworth.Lawrence, Michael Goo

07/20/2012 04:13 PM

Cc: Oge.Margo, Janet McCabe, Zinger.Don

(b) (5) (DPP)

[illegible]

\_\_\_\_\_

----- Forwarded by Gina McCarthy/DC/USEPA/US on 07/20/2012 03:55 PM -----

From: Margo Oge/DC/USEPA/US  
To: Gina McCarthy/DC/USEPA/US@EPA  
Date: 07/20/2012 03:53 PM  
Subject: one-pager on RFS invasive species issue

(b) (5) (DPP) [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]



EPA-367

Alex Barron/DC/USEPA/US  
07/24/2012 04:12 PM

To "Marquis Glenn Farber", "Peter Nagelhout"  
cc "goo michael", "Robin Kime"  
bcc  
Subject Fw: Excerpt on Invasive Species

Karl Simon

----- Original Message -----

**From:** Karl Simon  
**Sent:** 07/24/2012 04:08 PM EDT  
**To:** Alex Barron  
**Cc:** Paul Argyropoulos  
**Subject:** Fw: Excerpt on Invasive Species

Alex,

Here is the write up re: discussion yesterday. Has been sent to Larry and Bob also. OGC edits included.

Karl

Sharyn Lie

----- Original Message -----

**From:** Sharyn Lie  
**Sent:** 07/24/2012 12:10 PM EDT  
**To:** Margo Oge  
**Cc:** Karl Simon; Paul Argyropoulos  
**Subject:** Excerpt on Invasive Species

Margo-

As you requested, attached is the excerpt on invasive species.

-Sharyn



Summary of Comments on Invasive Species.docx

WIF  
Ex (b)(5) DPP

EPA-368

**Michael Goo/DC/USEPA/US**  
07/24/2012 04:44 PM

To: Alex Barron, Alexander Cristofaro, Lesley Schaaff, Robin Kime  
cc: Goo.Michael  
bcc:  
Subject: Fw: Updated Outlook

----- Forwarded by Michael Goo/DC/USEPA/US on 07/24/2012 04:44 PM -----

From: Michael Goo/DC/USEPA/US  
To: Bob Perciasepe/DC/USEPA/US@EPA  
Cc: Teri Porterfield/DC/USEPA/US@EPA  
Date: 07/24/2012 04:43 PM  
Subject: Updated Outlook

---

Bob,

Following our discussion this morning, attached is a revised file for your review. OGC has reviewed this. If you like to discuss this, just let me know.

Thanks  
- Michael



EPA 2012 Updated Outlook.docx

WIF  
Ex (b)(5) DPP

EPA-369

Alex Barron/DC/USEPA/US

07/25/2012 01:45 PM

To Michael Goo

cc

bcc

Subject Staff thoughts on OTAQ edits

----- Forwarded by Alex Barron/DC/USEPA/US on 07/25/2012 01:45 PM -----

From: Glenn Farber/DC/USEPA/US  
To: Peter Nagelhout/DC/USEPA/US@EPA  
Cc: Alex Barron/DC/USEPA/US@EPA  
Date: 07/25/2012 01:21 PM  
Subject: Re: Fw: Excerpt on Invasive Species

(b) (5) (DPP)



GF comments on Summary of Comments on Invasive Species.docx

WIF

Ex (b)(5) DPP

-----  
Glenn Farber  
Policy and Regulatory Analysis Division  
Office of Policy  
Office of the Administrator  
US Environmental Protection Agency  
(202) 566-0343

Peter Nagelhout

(b) (5) (DPP)

07/24/2012 07:07:28 PM

From: Peter Nagelhout/DC/USEPA/US  
To: Alex Barron/DC/USEPA/US@EPA, Glenn Farber/DC/USEPA/US@EPA  
Date: 07/24/2012 07:07 PM  
Subject: Re: Fw: Excerpt on Invasive Species

(b) (5) (DPP)

Peter

Alex Barron

----- Original Message ----- From:...

07/24/2012 04:12:01 PM

From: Alex Barron/DC/USEPA/US  
To: "Marquis Glenn Farber" <Farber.Glenn@epamail.epa.gov>, "Peter Nagelhout" <Nagelhout.Peter@epamail.epa.gov>  
Cc: "goo michael" <goo.michael@epa.gov>, "Robin Kime" <Kime.Robin@epamail.epa.gov>  
Date: 07/24/2012 04:12 PM  
Subject: Fw: Excerpt on Invasive Species

---

Karl Simon

----- Original Message -----

**From:** Karl Simon  
**Sent:** 07/24/2012 04:08 PM EDT  
**To:** Alex Barron  
**Cc:** Paul Argyropoulos  
**Subject:** Fw: Excerpt on Invasive Species

Alex,

Here is the write up re: discussion yesterday. Has been sent to Larry and Bob also. OGC edits included.

Karl

Sharyn Lie

----- Original Message -----

**From:** Sharyn Lie  
**Sent:** 07/24/2012 12:10 PM EDT  
**To:** Margo Oge  
**Cc:** Karl Simon; Paul Argyropoulos  
**Subject:** Excerpt on Invasive Species

Margo-

As you requested, attached is the excerpt on invasive species.

-Sharyn

[attachment "Summary of Comments on Invasive Species.docx" deleted by Peter Nagelhout/DC/USEPA/US]

EPA-370

Alex Barron/DC/USEPA/US

07/25/2012 01:57 PM

To Michael Goo

cc Alexander Cristofaro, Lesley Schaaff

bcc

Subject Fw: Revised RFS Pathways Rule

----- Forwarded by Alex Barron/DC/USEPA/US on 07/25/2012 01:57 PM -----

From: Lori Stewart/DC/USEPA/US  
To: Alex Barron/DC/USEPA/US@EPA, Glenn Farber/DC/USEPA/US@EPA, Nathaniel Jutras/DC/USEPA/US@EPA  
Cc: simon.karl@epa.gov, Sharyn Lie/DC/USEPA/US@EPA, Paul Argyropoulos/DC/USEPA/US@EPA, Pat Scoville/DC/USEPA/US@EPA  
Date: 07/25/2012 01:56 PM  
Subject: Revised RFS Pathways Rule

---

Alex, Glenn and Nate, (b) (5) (DPP)

[REDACTED]

Thanks.



EO12866\_New Fuel Pathways Rule under RFS2\_2060-AR07\_FRM\_FRN\_20120725.docx

WIF

Ex (b)(5) DPP

EPA-371

Alex Barron/DC/USEPA/US

07/25/2012 04:00 PM

To Robin Kime, Michael Goo

cc

bcc

Subject SE ELG Options Selection 7 25 12 v2.docx



- SE ELG Options Selection 7 25 12 v2.docx

WIF

Ex (b)(5) DPP

EPA-383

Alex Barron/DC/USEPA/US

08/20/2012 03:58 PM

To Michael Goo

cc Shannon Kenny

bcc

Subject Fw: Notice of Decision Regarding the State of Texas Request  
for a Waiver of a Portion of the Renewable Fuel Standard

The last 2008 waiver denial was not a tiered action, (b) (5) (DPP)

A

----- Forwarded by Alex Barron/DC/USEPA/US on 08/20/2012 03:56 PM -----

From: Caryn Muellerleile/DC/USEPA/US  
To: Alex Barron/DC/USEPA/US@EPA  
Cc: Paul Balserak/DC/USEPA/US@EPA, Lesley Schaaff/DC/USEPA/US  
Date: 08/20/2012 03:55 PM  
Subject: Notice of Decision Regarding the State of Texas Request for a Waiver of a Portion of the  
Renewable Fuel Standard

It appears that EPA denied the 2008 Texas request for an RFS waiver >  
<http://www.epa.gov/oms/renewablefuels/420f08029.htm>

Unless I'm mistaken, we either did not receive a subsequent petition or we didn't grant it and there were  
no follow-up rulemakings.

EPA's notice in the Federal Register denying the waiver request (  
<http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OAR-2008-0380-2630>) was signed by  
Administrator Johnson, which means it came through OP, though it was not a tiered ADP action. I can't  
find any PRAD analyst summary, but based on the historic entry in our "ORPM Team Room" database  
(below), the notice was submitted to OP, signed off by OP's AA, and signed by the Administrator all on  
8/7/2008.

Hopefully this helps answer your question?

Caryn Muellerleile  
Regulatory Management Division  
Office of Policy  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW (1806A)  
Washington, DC 20460  
(202) 564-2855  
(202) 564-0965 - fax  
[muellerleile.caryn@epa.gov](mailto:muellerleile.caryn@epa.gov)

----- Forwarded by Caryn Muellerleile/DC/USEPA/US on 08/20/2012 03:48 PM -----

Access & Creation Information

### ***Policy Review***

No Rule: Notice - Administrator's Signature

Document Status

Status: Completed

---

**Action Information**

|                  |                                                                                                                  |
|------------------|------------------------------------------------------------------------------------------------------------------|
| SAN:             | No Rule                                                                                                          |
| Stage:           | Notice                                                                                                           |
| Next Step:       | Administrator's Signature                                                                                        |
| Policy Review #: | 1                                                                                                                |
| Action Title:    | Notice of Decision Regarding the State of Texas Request for a Waiver of a Portion of the Renewable Fuel Standard |
| OMB Review:      | N/A                                                                                                              |
| AAShip:          |                                                                                                                  |
| Office:          |                                                                                                                  |
| Tier:            |                                                                                                                  |
| Action Type:     |                                                                                                                  |

---

**ADP Data**

---

**Policy Review Information**

|                    |                                              |
|--------------------|----------------------------------------------|
| Review Status:     |                                              |
| Type of ORPM       | Expedited                                    |
| Review:            |                                              |
| Expedited Reason:  | Needs to be signed 8/07/08                   |
| Purpose of Review: | Approval for Administrator's Signature (OEX) |
| Cleared OMB        |                                              |
| Review:            |                                              |
| RMD Summary:       | Not Required                                 |
| Package Comments   | Notice                                       |

---

**Content**

WIF  
Ex (b)(5) DPP



2008.08.07decisiondocument300PM.doc Action memo 8-6-08v2300pm.rtf



WIF  
Ex (b)(5) DPP

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**Assignments**

|                 |                                                           |
|-----------------|-----------------------------------------------------------|
| Policy Analyst: | Lesley Schaaff/DC/USEPA/US                                |
| Phone:          | 202-564-6567                                              |
| Desk Officer:   | Patricia Grim/DC/USEPA/US                                 |
| Phone:          | 202-564-6583                                              |
| Status:         | No matching Review Summary<br>No Statute Summary Required |

---

**Tracking**

---

**Records Management: Regulations, Standards, and Guidelines - No Date**

---



EPA-384

Alex Barron/DC/USEPA/US

To Michael Goo

08/21/2012 04:37 PM

cc

bcc

Subject Fw: RFS2 litigation on use of 2022 volumes/etc as basis for LCA

----- Forwarded by Alex Barron/DC/USEPA/US on 08/21/2012 04:37 PM -----

From: John Hannon/DC/USEPA/US  
To: Alex Barron/DC/USEPA/US@EPA  
Cc: Paul Argyropoulos/DC/USEPA/US@EPA, Karl Simon/DC/USEPA/US@EPA  
Date: 06/05/2012 10:26 AM  
Subject: RFS2 litigation on use of 2022 volumes/etc as basis for LCA

---

Alex, as we discussed, here is the brief filed by EPA in the litigation over the RFS2 rules. The discussion of the use of 2022 volumes and other factors for determining compliance with the GHG thresholds comes up in the background (pp 11-12) and in the argument section of the brief (pp 23-41). In the argument section, the main pages may be pp 24-26, 30, 31-32, 33-34, 35, 36, 37, 40-41.

(b) (5) (DPP), (b) (5) (ACP)



CourtLink\_Document\_US-APP-CADC\_10-1107\_idx\_553612\_10.6.2011\_111326512.pdf

John Hannon  
Office of General Counsel  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave. NW (MC 2344A)  
Washington, D.C. 20460  
Phone (202) 564-5563  
Fax (202) 564-5603

EPA-385

Alex Barron/DC/USEPA/US

08/22/2012 05:42 PM



To Michael Goo

cc Robin Kime, Paul Balserak, Al McGartland

bcc

Subject Fw: 100 member CMS reply letter (for use to reply to both houses)

Latest version of the 316b Letter attached. (b) (5) (DPP)



(b) (5) (DPP)



----- Forwarded by Alex Barron/DC/USEPA/US on 08/22/2012 05:36 PM -----

From: Paul Shriner/DC/USEPA/US  
To: Alex Barron/DC/USEPA/US@EPA  
Cc: Robert Wood/DC/USEPA/US@EPA, "Paul Balserak" <Balserak.Paul@epamail.epa.gov>, Lynn Zipf/DC/USEPA/US@EPA, Richard Witt/DC/USEPA/US@EPA  
Date: 08/22/2012 02:57 PM  
Subject: Re: Fw: 100 member CMS reply letter (for use to reply to both houses)

---

All,

Thank you for the help, these were really good comments.

(b) (5) (DPP)


I'm a little concerned about length of the letter, but the reply is solid. We will see, sending this off to the water office now...

thanks again,

Paul

Paul Shriner, PhD  
Project Manager  
U.S. Environmental Protection Agency  
202-566-1076



CMS 3331 100 Members DRAFT 08\_22\_2012-a.docx

WIF  
Ex (b)(5) DPP

Alex Barron Here are our suggested edits. Happy t... 08/22/2012 09:34:41 AM

From: Alex Barron/DC/USEPA/US  
To: Robert Wood/DC/USEPA/US@EPA  
Cc: "Paul Balserak" <Balserak.Paul@epamail.epa.gov>, Lynn Zipf/DC/USEPA/US@EPA, "Paul Shriner" <Shriner.Paul@epamail.epa.gov>  
Date: 08/22/2012 09:34 AM  
Subject: Re: Fw: 100 member CMS reply letter (for use to reply to both houses)

Here are our suggested edits. Happy to discuss and apologies for the delay.

A

[attachment "CMS 3331 100 Members DRAFT 08\_20\_2012-c op.docx" deleted by Paul Shriner/DC/USEPA/US]

Robert Wood Paul and Alex, The attached version Pa... 08/22/2012 08:02:44 AM

From: Robert Wood/DC/USEPA/US  
To: "Paul Balserak" <Balserak.Paul@epamail.epa.gov>, "Alex Barron" <Barron.Alex@epamail.epa.gov>  
Cc: "Paul Shriner" <Shriner.Paul@epamail.epa.gov>, Lynn Zipf  
Date: 08/22/2012 08:02 AM  
Subject: Fw: 100 member CMS reply letter (for use to reply to both houses)

Paul and Alex,

The attached version Paul sent you Monday is the one to review. We need to move this today. Thanks.  
Paul Shriner

----- Original Message -----

**From:** Paul Shriner  
**Sent:** 08/20/2012 01:15 PM EDT  
**To:** Alex Barron; Richard Witt  
**Cc:** Paul Balserak; Lynn Zipf; Robert Wood  
**Subject:** 100 member CMS reply letter (for use to reply to both houses)

Alex / Richard,

We would be interested in your quick feedback before sending this draft reply letter through the chain....by today's end if possible please....

thanks,

Paul

[attachment "CMS 3331 100 Members DRAFT 08\_20\_2012-c.docx" deleted by Alex Barron/DC/USEPA/US]

Paul Shriner, PhD  
Project Manager  
U.S. Environmental Protection Agency

202-566-1076

EPA-386

Alex Barron/DC/USEPA/US

08/23/2012 03:05 PM

To Michael Goo

cc Robin Kime

bcc

Subject Key Points on Analytical Issues in RFS BBD Packages for  
MG 8 23.docx

Michael - I may have some updates on this towards the end of the day, but I wanted to make sure you had a refresher on the key RFS analytical issues for your book tonight.

As a reminder, I will be out tomorrow AM but will be in for the afternoon prep and mtg.



- Key Points on Analytical Issues in RFS BBD Packages for MG 8 23.docx

WIF

Ex (b)(5) DPP

EPA-387

Alex Barron/DC/USEPA/US

08/28/2012 11:10 AM

To Michael Goo

cc Glenn Farber, Peter Nagelhout, Lesley Schaaff, Robin Kime,  
Shannon Kenny

bcc

Subject RFS updates 8 28 12

Michael, per your request, I pulled this together with Glenn and Peter. Please take a look and let me know if you want any edits.

Alex



- RFS updates 8 28 12.docx

WIF

Ex (b)(5) DPP

EPA-388

Alex Barron/DC/USEPA/US

08/29/2012 12:32 PM

To Michael Goo

cc Paul Balserak, Lesley Schaaff, Robin Kime

bcc

Subject EGU NSPS timing

(b) (5) (DPP)

[illegible]



EPA-389

Alex Barron/DC/USEPA/US

08/29/2012 04:58 PM

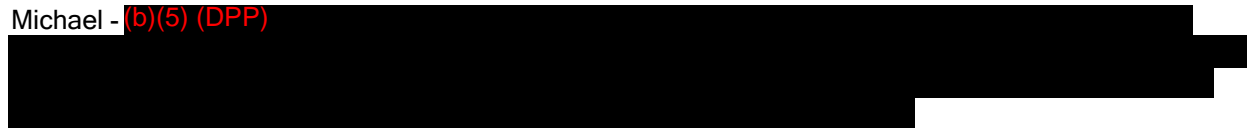
To Michael Goo

cc Al McGartland, Lesley Schaaff, Heather Klemick, Ann  
Wolverton, Robin Kime

bcc

Subject LDV sales and employment

Michael - (b)(5) (DPP)



Ann pulled together the attached document, which provides a little summary of how these sections evolved, if you are interested.

A



- history of sales and employment analysis for LDV 2017-2025.docx

EPA-390

Alex Barron/DC/USEPA/US

08/30/2012 06:13 PM

To Michael Goo, Robin Kime

cc Lesley Schaaff, Nicole Owens

bcc

Subject Fw: RFS updates 8 28 12

Michael - It occurred to me that you might want this tomorrow AM. Here is what I believe to be the most current version...Lesley and Nicole can chime in if there's been any late breaking movement...

A

----- Forwarded by Alex Barron/DC/USEPA/US on 08/30/2012 06:12 PM -----

From: Alex Barron/DC/USEPA/US  
To: Lesley Schaaff/DC/USEPA/US@EPA, Bruce Schillo/DC/USEPA/US@EPA, Nicole Owens/DC/USEPA/US@EPA  
Cc: Peter Nagelhout/DC/USEPA/US@EPA, Glenn Farber/DC/USEPA/US@EPA  
Date: 08/30/2012 05:33 PM  
Subject: RFS updates 8 28 12

---

Michael wanted an updated version of this. (b) (5) (DPP)

[REDACTED]

[REDACTED]

[REDACTED]



- RFS updates 8 28 12.docx

WIF

Ex (b)(5) DPP

EPA-391

Alex Barron/DC/USEPA/US  
08/31/2012 11:56 AM

To Michael Goo  
cc  
bcc

Subject Fw: Draft MATS/Utility NSPS reconsideration proposal

This just in. I have circulated to staff.

A

Peter Tsirigotis

----- Original Message -----

**From:** Peter Tsirigotis  
**Sent:** 08/31/2012 11:50 AM EDT  
**To:** Alex Barron  
**Subject:** Fw: Draft MATS/Utility NSPS reconsideration proposal

Marguerite McLamb

----- Original Message -----

**From:** Marguerite McLamb  
**Sent:** 08/31/2012 11:46 AM EDT  
**To:** Peter Tsirigotis  
**Subject:** Draft MATS/Utility NSPS reconsideration proposal



WIF

MATS Reconsideration Notice\_proposal\_draft\_083112.docx Ex (b)(5) DPP

\*\*\*\*\*

Marguerite E. McLamb  
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